

**DIRECTORS' MEETING  
MONDAY, JULY 11, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For May - (See Release)
- \*2. NEWS RELEASE - RE: Equipment Malfunction Temporarily Interrupts 911 Phone Service -(See Release)
- \*3. NEWS RELEASE - RE: Mayor Seng Announces Health Insurance Deal To Save City \$1 Million -(See Release)
- \*4. NEWS ADVISORY - RE: Mayor Coleen Seng's schedule includes the following events: For June 23<sup>rd</sup>, June 24<sup>th</sup> & June 27<sup>th</sup>.... - (See Advisory)
- \*5. NEWS RELEASE - RE: Public Invited To Dedication Of New Park -(See Release)
- \*6. NEWS RELEASE - RE: Teen Center Now Open At Park Middle School - (See Release)
- \*7. NEWS RELEASE - RE: Mayor Invites Area Residents To City's Fourth of July Celebration -Annual event returns to Oak Lake Park for third year-(See Release)
- \*8. Washington Report - June 17, 2005.
- \*\*9. NEWS RELEASE - RE: Seng Balances City Budget Without Raising City Property Tax Rate -(See Release)
- \*\*10. NEWS RELEASE - RE: Mayor Says City Economy Is Strong: Calls On All Lincolniters To Market City To Attract Jobs - (See Release)
- \*\*11. Washington Report - June 24, 2005.
- 12. NEWS RELEASE - RE: Mayor's Independence Day Message -(See Release)

13. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of July 2 through 8, 2005 -Schedule subject to change -(See Advisory)
14. NEWS RELEASE - RE: 56<sup>TH</sup> Street Storm Sewer Construction To Restrict Traffic -(See Release)
15. NEWS RELEASE - RE: Mayor Invites Public To Tour Antelope Valley Progress -(See Release)
16. NEWS RELEASE - RE: Street, Crosswalk Marking Project Under Way - (See Release)
17. NEWS RELEASE - RE: Mayor To Unveil New Sculptures At Sunken Gardens -(See Release)
18. Washington Report - July 1, 2005.

## **II. DIRECTORS**

### **FINANCE DEPARTMENT/AUDIT**

- \*1. Material from Mark Leikam, City of Lincoln Keno Auditor - RE: March 31, 2005 Quarterly Keno Audit -(See Material)

### **FINANCE DEPARTMENT/BUDGET**

- \*\*1. Material from Steve Hubka - RE: June Sales Tax Reports -(See Material)
2. Material from Steve Hubka - RE: Budget Information -(See Material)

### **FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - May 2005.

### **HEALTH**

- \*1. Health Department Report - May, 2005- (See Attached Report) (Copy of this Report on file in the City Council Office.)

- \*2. NEWS RELEASE - RE: Hot Weather Alert -(See Release)
- \*3. NEWS RELEASE - RE: Pets and Hot Weather -(See Release)

## PLANNING

- \*\*1. Letter from Tom Cajka to Terry Rothanzl, Engineering Design Consultants RE: Vintage Heights 22<sup>nd</sup> Addition Final Plat #05014-Generally located at S. 88<sup>th</sup> St. and Foxtail Dr. -(See Letter)
- \*\*2. Annexation by Ordinance -Ordinance No. 18526-Effective: May 3, 2005 - 218 Acres.

## PLANNING COMMISSION FINAL ACTION .....

- \*\*1. Pre-Existing Special Permit #31A (Expansion of licensed premises- on-sale alcohol - 5555 Superior Street) Resolution No. PC-00931.
- \*\*2. Pre-Existing Special Permit #32A (Expansion of nonconforming use- on-sale alcohol - 2801 N.W. 48<sup>th</sup> Street) Resolution No. PC-00932.
- \*\*3. Special Permit #05027 (10400 South 56<sup>th</sup> Street) Resolution No. PC-00933.
- \*\*4. Special Permit #05028 (On-sale alcohol - 2102 Adams Street) Resolution No. PC-00934.
- \*\*5. Special Permit #05029 (4800 South 112<sup>th</sup> Street) Resolution No. PC-00935.
- \*\*6. Special Permit #05030 (6100 North 56<sup>th</sup> Street) Resolution No. PC-00936.
- \*\*7. Preliminary Plat #05011 - Crossbridge 1<sup>st</sup> Addition (East of North 27<sup>th</sup> Street, south of Fletcher Avenue) Resolution No. PC-00938.
- \*\*8. Use Permit #05005 - (Office/medical building-southwest of South 37<sup>th</sup> and O Streets) Resolution No. PC-00937.
- 9. Special Permit #05032 - **DENIED** - (Expansion of nonconforming use to allow an outdoor beer garden at the Library Lounge, 6891 A Street)

## **PUBLIC WORKS & UTILITIES**

- \*1. Public Works & Utilities ADVISORY - RE: Water Main Project For Lincoln Public Schools @ Yankee Hill School-Executive Order #72714 - (See Advisory)
- \*2. Public Works & Utilities ADVISORY - RE: 27<sup>TH</sup> & Yankee Hill - Project #701596A-Section of 27<sup>th</sup> Street to Close Monday for Construction -(See Advisory)
- 3. Response E-Mail from Randy Hoskins to Brian Bartels - RE: Student Project-(Traffic signal issue) -(See E-Mail)

## **WEED CONTROL AUTHORITY**

- \*1. Combined Weed Program - City of Lincoln - May 2005 Monthly Report.

## **WOMEN'S COMMISSION**

- \*\*1. Report from Bonnie Coffey - RE: Director's Report - May 2005 -(See Attached Report)

## **III. CITY CLERK**

## **IV. COUNCIL**

### **A. COUNCIL REQUESTS/CORRESPONDENCE**

## **JON CAMP**

- \*1. E-Mail from Russ Bayer sent to Jon Camp - RE: Requested change to the Comp Plan/Theatre Policy - (See E-Mail)
- \*\*2. E-Mail from Florafae & Burdette Schoen to Jon Camp with response from Karen Sieckmeyer, Public Works & Utilities Dept. - RE: Street Closing .... (See E-Mail)
- 3. E-Mail from Jon Camp to Dana Roper - RE: Meter Pit Claim -(See E-Mail)

## **JONATHAN COOK**

1. Request to Public Works & Utilities Department - RE: Driveway cracking - (RFI#124 - 6/10/05). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#124 - 6/17/05.**

## **COUNCIL - RFI'S**

1. Request to Public Works & Utilities Department - RE: Salt Creek Floodplain segment of South Beltway - (RFI#1 - 6/28/05)
2. Request to Police Chief Casady - RE: Loud music from car stereos - (RFI#2 - 6/28/05). — **1.) SEE RESPONSE FROM POLICE CHIEF CASADY RECEIVED ON RFI#2 - 7/05/05.**
3. Request to June Pederson, Aging Services Director - RE: Senior Center - (RFI#3 - 6/28/05). — **1.) SEE RESPONSE FROM JUNE PEDERSON, DIRECTOR LINCOLN AREA AGENCY ON AGING RECEIVED ON RFI#3 - 7/06/05.**
4. Request to Urban Development Department - RE: The Kinder-Care at 17<sup>th</sup> & South-BryanLGH/West not renewing their contract - (RFI#4 - 6/28/05)

## **ROBIN ESCHLIMAN**

1. Request to Mark Bowen, Mayor's Office - RE: Weekly updates to the City Council on the status of ITI - (RFI#1 - 7/07/05)

## **V. MISCELLANEOUS**

- \*1. E-Mail from Rocky Weber - RE: Strongly urge you to take any and all steps necessary to resolve the issues with ITI over the relocation of the Old Cheney, Warlick Blvd. intersection -(See E-Mail)
- \*2. Letter from Mark Hunzeker, For the Firm, Pierson/Fitchett Law Firm - RE: Items 34 through 38, inclusive of today's agenda-Bill Nos. 05R-134, 05-85, 05-86, 05R-135, and 05R-136 - (Council received copies of this letter on 6/20/05)(See Letter)

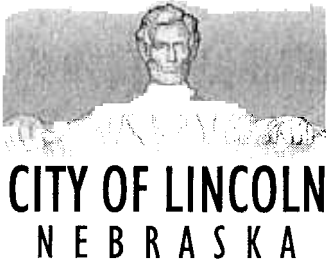
- \*3. E-Mail from Mary Roseberry-Brown - RE: Salt Creek Floodplain segment of South Beltway -(See E-Mail)
- \*4. E-Mail from Vicki Sullivan - RE: CATS!!!! -(See E-Mail)
- \*5. E-Mail from Mark Dietel - RE: Loud music from car stereos -(See E-Mail)
- \*6. E-Mail from Teresa Mulkey Predmore - RE: Recent newspaper article from Ms. Eschliman -(See E-Mail)
- \*7. E-Mail from Kaye Finch - RE: Has some concerns with a couple of items that will affect the kids and parents of Lincoln -(See E-Mail)
- \*8. Letter & Report from Terry Bundy, LES - RE: Proposed Rate Schedules, Service Regulations and 2005 Cost Analysis Summary - For Rates Effective August 1, 2005 - (Council copies places in their Thursday packets on 6/23/05) (Copy of Report on file in the City Council Office) (See Attachments)
- \*9. 2 -Letter's from Delores Eberhardt - RE: Senior Centers -(See Letters)
- \*\*10. Letters from Mary Hepburn O'Shea, LMHP, O.U.R. Homes (Organized Unit Responsibility Homes)- RE: Assisted Living Rates and Mental Health -(See Letters)
- \*\*11. E-Mail from Nikki LaPointe - RE: 4<sup>th</sup> of July Celebration for next year - (See E-Mail)
- \*\*12. Letter from Thomas Schleich, Chair, LES Administrative Board to Greg Vasek, President, Linweld, Inc. - RE: August 1, 2005 Proposed Rate Increase -(See Letter)
- \*\*13. E-Mail from Dee Ann Herrington - RE: Concerned about South 14<sup>th</sup> Street between Old Cheney & Pine Lake -(See E-Mail)
- 14. Letter from Rebecca Hasty - RE: Request for an Ordinance to prohibit pit bulls in the City of Lincoln -(See Letter)

15. E-Mail's from Brian Bartels with request from Jonathan Cook - RE: The potential problem at the intersection of 32<sup>nd</sup> & Pine Lake Road -(See E-Mail's)
16. E-Mail from Carol B. with response from Bob Hampton - RE: Concrete grinding -(See E-Mail)
17. E-Mail from Phillip Stevens - RE: Personal request/Lapel pin -(See E-Mail)
18. E-Mail from Becky Tegeler - RE: 4<sup>th</sup> Celebration -(See E-Mail)
19. Letter & Article from Ruth Mussmann - RE: Wal-Mart -(See Material)
20. Letter from Billy & Wilma Williams - RE: Proposed Budget -(See Letter)
21. Letter from Eileen Rich - RE: Proposed Budget - Tax Increase on gasoline - (See Letter)
22. E-Mail from Janet Wheatley - RE: I was shocked to walk into the 70<sup>th</sup> & Pioneer Hy-Vee Store last Friday and be offered what happened to be a sample of an alcoholic beverage -(See E-Mail)
23. E-Mail from Kevin Karmazin - RE: Thinks there should be an ordinance about alternative beverages for Designated Drivers in bars, etc.-(See E-Mail)

## **VI. ADJOURNMENT**

**\*HELD OVER FROM JUNE 27, 2005.**

**\*\*HELD OVER FROM JULY 4, 2005.**



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** July 1, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

### MAYOR'S INDEPENDENCE DAY MESSAGE

"As Mayor of Lincoln, I invite everyone to the City's official 4th of July Celebration at Oak Lake Park. As you enjoy this holiday with family and friends, I hope you will take a moment to recognize how fortunate we are to live in this country, this state and this very special city. Lincoln is a community with safe clean neighborhoods, beautiful parks and excellent schools. This high quality of life doesn't just happen. It's residents working together to make life better for all.

"I also urge you to reflect on the freedoms we enjoy as Americans. Please remember those serving in the military who are advancing the cause of freedom around the world. Fly your flag proudly as we celebrate our nation's birthday, and have a happy and safe 4th of July."





**CITY OF LINCOLN**  
**NEBRASKA**

# NEWS ADVISORY

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MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

Date: July 1, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

**Mayor Seng's Public Schedule**  
**Week of July 2 through 8, 2005**  
*Schedule subject to change*

Monday, July 4 - *City government offices closed for holiday.*

- City 4th of July Celebration - 7 p.m., Oak Lake Park

Wednesday, July 6

- Sunken Gardens sculpture unveiling and artists' reception, remarks - 5 p.m., Sunken Gardens, 27th and Capitol Parkway

Thursday, July 7

- United Way kick-off luncheon, remarks - noon, Valentino's, 35th and Holdrege streets



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE:** July 1, 2005

**FOR MORE INFORMATION:** Dale Gebhard, Public Works and Utilities, 441-8345

### **56TH STREET STORM SEWER CONSTRUCTION** **TO RESTRICT TRAFFIC**

The southbound lane of 56th Street from Holdrege Street to Hills Dale Drive is scheduled to close Tuesday, July 5 for storm sewer construction. Two-way traffic will be maintained on 56th Street until July 11. At that time, 56th Street is scheduled to close to through traffic for about five days. Access to local businesses and residential areas will be maintained.

The storm sewer construction is expected to be completed by Friday, July 29. For more information on Public Works and Utilities construction projects and street closures, visit the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov).



CITY OF LINCOLN  
NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** July 5, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

### **MAYOR INVITES PUBLIC TO TOUR** **ANTELOPE VALLEY PROGRESS**

Mayor Coleen J. Seng invites the public to take part in free tours of the Antelope Valley Project area **Saturday, July 9** to see the progress of construction. **A bike tour begins at 8 a.m., and bus tours begin at 9 a.m. and 11 a.m.** The tours will take about 90 minutes each. Those on the bike tour must wear helmets. All three tours begin at Lincoln High School, 2229 "J" Street. Parking is available in the school's north lot.

The Antelope Valley Project includes a new flood control waterway, a safer and more efficient roadway and bridge system and investment in community revitalization efforts. When the project is completed, 961 homes, 336 commercial and industrial structures and 50 acres of University of Nebraska property will no longer be in the 100-year floodplain. The areas that were prone to flooding will be open for new private development and reinvestment opportunities.

"I think many residents will be surprised at how far the project has progressed," said Mayor Seng. "The Corps of Engineers has completed about 25 percent of the flood control channel. Those on the tour will see the new portion of the waterway, the new bridges and roadways west of the State Fairgrounds and east of the UNL campus, the new Fleming Fields Recreational Sports Park and the neighborhoods that are included in the revitalization area."

Those planning to attend are asked to make reservations to make sure there is enough room on the buses. **To reserve space or to request special assistance with translation or handicapped accessibility, call 458-5978.** Reservations may also be made online at [http://204.200.205.190/bus\\_reserve/public\\_tours.php](http://204.200.205.190/bus_reserve/public_tours.php). More information and maps of the Antelope Valley Project are available on the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov).

The Antelope Valley Project is a partnership among the City of Lincoln, the University of Nebraska-Lincoln and the Lower Platte South Natural Resources District. The first phase now under way will take about six to eight years to complete.

The cost of the Antelope Valley Project is estimated at \$238 million. The project is being funded through a variety of local, state and national sources. A professional market economist has projected that for every dollar spent on the project, the private sector will respond with at least three dollars of private investment and redevelopment in the project area. Another professional economic report estimated the project will produce more than \$745 million of benefits, including travel time savings, construction activity and impact of the removal of the 100-year floodplain.



CITY OF LINCOLN  
NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE:** July 5, 2005

**FOR MORE INFORMATION:** Al Lee, Public Works and Utilities, 441-6092

### **STREET, CROSSWALK MARKING PROJECT UNDER WAY**

The City of Lincoln has hired a contractor to install durable markings on select City streets and crosswalks. This type of durable marking has been installed on City streets for four years. The street marking began June 27, and the crosswalk marking is scheduled to begin July 12. A list of project areas follows this release.

Both street and crosswalk work will involve the removing old markings, grooving the pavement and installing the new, long-lasting material. The work can create noise and will require some partial single-lane closures. To minimize disruptions for motorists and pedestrians, most of the work will be done from 6 p.m. to 6 a.m. The exception is crosswalk work in residential areas, which will take place during the day to minimize noise disruption at night. Unless problems occur, each project area should take only one night to complete.

The street and crosswalk marking project has a scheduled completion date of August 18. For more information on current Public Works and Utilities road construction projects, visit the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov).

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Streets included in the marking project are:

- 11th, Sun Valley to Saunders
- 14th, ITS Drive to Pine Lake
- 14th and Old Cheney, dual turn lines only
- 27th, Piccadilly to Old Cheney
- 27th, north and south of Highway 2, including dual turn lines at intersection
- 27th and O Street, dual turn lines only
- 33rd, north of Superior southbound
- 56th, Lowell to about Spruce
- 70th and Adams, west and south legs
- 70th, south of Eastborough to median; L Street to Wedgewood
- 84th, north of Northern Lights to Holdrege; Amber Hill to Cheney Ridge
- Cherrywood, south of O Street
- Coddington and A Street
- Kensington, west of 27th
- Normal, 62nd to 80th
- O Street, Wedgewood to Cherrywood
- Pioneers, 54th to Stacy
- Skyway, north of O Street
- South Street, 38th to 41st
- West P Street. Sun Valley West to end of concrete

Crosswalk locations included in the marking project are:

- N.W. 1st - West Highland
- 6th - south of X Street
- 8th - J Street
- N.W. 10th - Isaac Drive
- N.W. 12th - West Adams
- 14th - Pine Lake, Aberdeen
- 16th - Old Cheney
- 17th - South Street
- 21st - Superior
- S.W. 23rd - South Street
- 27th - Southridge, Van Dorn, Tipperary, Jameson North, O Street, R Street, Sheridan, Superior, Cornhusker, Holdrege, Highway 2, Vine
- 29th - Old Cheney
- 33rd - Pioneers, Cornhusker, Huntington
- 34th - Old Cheney
- 35th - Cornhusker
- 36th - San Mateo
- 38th - Holdrege
- 40th - Wildbriar, Pine Lake, Old Cheney, Duxhall, Eagle Ridge, Randolph, O Street, A Street
- 44th - Superior
- 48th - Old Cheney, Randolph, Leighton, Van Dorn, Sumner, R Street, Vine
- 56th - South Street, Fremont, Vine, Highway 2, Van Dorn, Adams
- 63rd - Adams
- 66th - Q Street
- 70th - Old Cheney, Pioneers, Holmes Park Road, Wedgewood, Glynoaks, Adams
- 75th - Forbes, Glynoaks, Twin Oaks
- 78th - Leighton, Willard
- 79th - Brookfield, Van Dorn
- 84th - A Street, O Street, Van Dorn
- Coddington - South Street, A Street
- Cripple Creek Road - Cooked Creek Drive
- Fir Hollow - Beaver Creek Lane, Rockwood Lane
- Hazel Scott - Ridge, Shadow Ridge, west of Shadow Ridge
- Isaac Drive - N.W. Fairway
- Old Cheney - Warlick, Vandervort, Highway 2
- Pine Lake - Hazel Scott, Ridge Road
- Pioneers - Stacy/Pioneer Woods
- Rockwood Lane south of Rockwood Court
- Scottsdale - east of 34th
- West Katleman - West Sally
- West O Street - Homestead Expressway, Sun Valley
- West P Street - Sun Valley



CITY OF LINCOLN  
NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** July 6, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Stacey Ault, Parks and Recreation Department, 441-3084

### **MAYOR TO UNVEIL NEW SCULPTURES AT SUNKEN GARDENS**

Mayor Coleen J. Seng will unveil two new bronze sculptures at **5 p.m. today at the Sunken Gardens, 27th and Capitol Parkway**. The sculptures are part of the \$1.7 million renovation of the gardens, which is nearing completion. Also participating in the unveiling will be the artists and their families and representatives of the Lincoln Arts Council and the Parks and Recreation Foundation.

"It is appropriate that this unveiling is the first event at this renovated park," Mayor Seng said. "The people of Lincoln love the Sunken Gardens, and they love public art. They proved that by making donations, large and small, for this project. Those donations represent an investment in this community, one that will allow many future generations to enjoy this artwork and this park."

The new sculptures are:

- **"Rebekah at the Well,"** created by David R. Young, a retired art teacher from Grand Island. It represents a more modern, bronze version of the concrete sculpture, "Rebecca at the Well" by Ellis Burman, which was in the garden from the 1930s until last year when it was vandalized beyond repair. "Rebekah" stands at the top of the waterfall and pours water into the falls from a jug. Young has other sculptures on display at the Stuhr Museum in Grand Island, Carnegie Arts Center in Alliance, and the Wild Bill Hickok Memorial in Deadwood, South Dakota.
- **"Reveille,"** created by retired surgeon Dr. Wayne Southwick, who now lives in Connecticut. The word "reveille" means "a signal to get up out of bed." The name was chosen because the woman in the sculpture is modeled after his wife, Ann Seacrest Southwick, getting their children out of bed. "Reveille" depicts a life-sized angel blowing a trumpet and was cast in Italy. Dr. Southwick originally is from Friend, Nebraska, and is a graduate of the University of Nebraska Medical Center. Ann's grandfather, J.C. Seacrest, was instrumental in donating the area to the City in the 1930s to create the Sunken Gardens. Dr. Southwick also has work displayed at Yale University, the Museum of Nebraska Art in Kearney and First Congregational Church of Old Lyme, Connecticut.

A reception for the artists will follow today's unveiling. The renovations at the Sunken Gardens includes a restroom building, accessible pathways, renovated ponds and a waterfall. The garden will be open to the public in mid-July and a re-dedication ceremony is being planned for August.

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*(This is an invitation-only event and is not open to the general public.  
The media are invited to cover the unveiling and reception.)*

# WASHINGTON REPORT

**INSIDE:**

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**Washington Report**

*Archived at:*  
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archive.html](http://www.capitaledge.com/archive.html)

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## CONGRESS REACTS TO SUPREME COURT TAKINGS RULING

### FEDERALISM

Congress reacts quickly to challenge Court ruling on eminent domain. The House voted this week to deny state or local government from using certain federal funds on economic development projects if that government used its powers of eminent domain to force a property owner to sell.

The provision was added to the FY 2006 appropriations bill that provides spending for the Departments of Treasury, Transportation, and Housing and Urban Development, so it would apply only to funding state and local governments receive from those agencies. However, Senators and House members on both sides of the aisle indicated this week that they intend to expand the reach of such restrictions.

These moves come in response to the U.S. Supreme Court decision (*Kelo v. New London*) last week that upheld the authority of local governments to use eminent domain for economic development purposes. The ruling drew heated responses from both conservative private property rights advocates, as well as liberal minority groups concerned that they are disproportionately affected by such takings.

Senators John Cornyn (R-TX) and Bill Nelson (D-FL) introduced legislation this week that would extend the restrictions approved in the House bill to all federal funds, as did House Judiciary Committee Chairman James Sensenbrenner (R-WI) and Ranking Democrat John Conyers (D-MI). Only House Minority Leader Nancy Pelosi (D-CA) spoke out against the legislation, claiming that it was nullifying a Supreme Court decision and represented a violation of the separation of powers.

The House also approved by 365-33 a non-

binding resolution this week expressing "grave disapproval" of the *Kelo* decision.

It has also been reported that judicial activist organizations are already using the *Kelo* decision to rally their troops for a confirmation fight over Supreme Court vacancies. The specter of such a fight quickly became a reality today with the announcement of Justice Sandra Day O'Connor's retirement from the bench.

### TRANSPORTATION

TEA-21 gets eighth extension. On June 29, lawmakers approved an eighth extension to transportation law, giving House and Senate committee members less than 10 days to complete a final bill when they return from the Fourth of July recess. The new extension's deadline is July 19.

Conferees continue to negotiate behind closed doors and iron out the policy details of a comprehensive reauthorization bill. Having reportedly agreed on a spending level of \$286.5 billion, lawmakers are still seeking consensus on an acceptable minimum guarantee (MG) threshold for states, as well as transit funding. However, the Bush administration has not signaled its approval for the compromise spending total. Department of Transportation Secretary Norman Mineta has repeatedly warned that passage of any authorization in excess of

**DUE TO THE  
CONGRESSIONAL RECESS,  
THE NEXT  
WASHINGTON REPORT WILL  
BE SENT ON JULY 15**

\$284 billion will be recommended for a veto.

The MG formula is a key consideration for donor states that send more highway user taxes to the highway trust fund than they receive back in federal spending. A coalition of members from Texas, Florida, and Michigan and other donor states has repeatedly pushed transportation leaders to increase MG returns to a 95 percent rate of return. The more expensive Senate bill would increase the current MG floor from the current 90.5 percent rate of return to 92 percent by 2009. The increase under the Senate proposal is largely attributable to higher authorization numbers, which raises questions about at \$287 billion bill's potential for presenting a satisfactory MG plan.

Conferees have also yet to agree on an adequate highways-transit split. Senate conferees voted to reaffirm a deal they struck on the Senate floor, when the Senate Finance Committee found enough money to increase the overall funding level from \$284 billion to \$295 billion. When senators added that financing package, they agreed to increase the percentage of the bill dedicated to transit from 18.18 percent to 18.48 percent. Senators are expecting the House to make an offer on transit funding that could potentially be below 18 percent of the total bill.

The issue of adding language to provide liability to producers of the gasoline additive known as MTBE to the highway bill continues to be discussed, although a senior aide to Senate Environment and Public Works Chairman James Inhofe (R-OK) said rumors that MTBE liability may be attached to the highway bill are "absolutely not true."

## ENERGY

Energy Bill is ready for conference. On June 28, The Senate easily passed its comprehensive energy bill in an 85-12 vote that drives the issue to a House-Senate conference committee. The conference process is expected to begin as soon as Congress returns from its Fourth of July recess. The President has requested that a final energy bill be on his desk by the first of August, when Congress breaks for a month-long recess.

The House and Senate bills have major differences that will need to be worked out. The tax package is one of several areas of dispute to be resolved by the conference committee.

The Senate bill includes \$12.6 billion in energy tax incentives for producers of oil, gas, and renewable energies, while the House's \$8 billion package focuses solely on oil and gas production.

The biggest issue to be addressed concerns the House bill's language providing legal liability protection for producers of MTBE. House members have been trying to broker a compromise, as the liability provisions were the primary reason the Senate did not pass the energy bill two years ago.

House Energy and Commerce Committee Chairman Joe Barton (R-TX) has been working on a legislative strategy to insert MTBE liability protection language into the conference report of the six-year transportation bill. Senate and Natural Resources Committee Chairman Pete Domenici (R-NM) dismissed those rumors, however.

There are also separate negotiations being conducted in which liability exemptions would be granted in exchange for a proposed \$8 billion trust fund would be created to deal with MTBE cleanups. However, state and local government organizations have not been involved in those talks, and the Association of Metropolitan Water Agencies estimates that it will cost between \$25 and \$85 billion to clean up known MTBE contamination in local water supplies.

Another sticky issue will be the Senate's provisions requiring utilities with over 4 million megawatt hours of sales per year to produce, purchase, or purchase through credits 10 percent of their electricity from renewable energy resources by 2020. The provision is opposed by House Republicans and the White House.

Finally, while the House bill calls for oil and gas exploration in Alaska's Arctic National Wildlife Refuge (ANWR), the Senate did not include the language in its

bill in order to avoid a filibuster. However, the FY 2006 budget resolution approved earlier this year protects ANWR from a filibuster through the budget reconciliation process, which is expected to come up sometime in September.

## TELECOMMUNICATIONS

Supreme Court sides with cable industry, strikes blow to local governments. In a 6-3 decision, the Supreme Court freed the Federal Communications Commission (FCC) to proceed with a ruling that cable modem service is an "information" service rather than a "telecommunications" or "cable" service. Under the Communications Act, telecommunications services are regulated much more heavily than information services and are specifically required to open their networks to competitors.

The decision, rendered in *FCC v. Brand X Services*, overturned a Ninth Circuit Court of Appeals decision that found that cable modem service is partially a telecommunications service. Local governments pressed both courts to rule that cable modem service is also partially cable service and therefore subject to local government cable franchise requirements. However, both courts ignored this argument.

As a result of the decision, the FCC will now move forward with its rulemaking classifying cable modem service as an information service as well as with a companion ruling classifying DSL modem service offered by telephone companies as an information service. The decisions had been pending for close to three years while *Brand X* made its way through the courts.

The decision was hailed by the cable television industry, which now finds itself free to offer high-speed Internet access largely free of regulations related to interconnectivity, universal service and disabled access. It also largely frees cable modem providers from having to comply with local government E-911 and criminal wiretap requirements. The regional bell operating companies, or "Baby Bells," also hailed the decision, saying that the court's decision will



allow the FCC to classify all broadband service as an information service.

Local governments, consumer advocates and independent Internet service providers expressed disappointment in the decision, arguing that it will lead to a duopoly in high-speed Internet service controlled by the Baby Bells and the cable industry that will stifle competition and undermine important universal service and consumer protection requirements. Local government also expressed concern that as both the Baby Bells and cable providers begin to offer Voice over Internet Protocol telephone service via modem and DSL, the Court's ruling will exempt them from E-911 fees and regulation and from criminal wiretap requirements that are applied to traditional telephone service. In addition, local governments fear that cable providers will move to classify the bulk of their service as "modem service" in an attempt to undermine local franchise agreements and avoid paying franchise fees.

Most industry observers agree that the full impact of the decision and the subsequent FCC rulings remains unknown. However, all agree that it marks the beginning of a period of uncertainty for the industry and local governments that will not be resolved until Congress updates the Communications Act. And in fact, the response to the decision in Congress has been an increase in activity with regard to drafting such legislation.

## UPDATES

The House approved its 11<sup>th</sup> and final FY 2006 appropriations bill this week, meeting the goal set by committee leadership to complete those bills prior to the July 4 congressional recess. The Senate, meanwhile, has approved only three FY 2006 spending bills, but has made significant progress in recent weeks. Republican leadership in both chambers have vowed to avoid the "omnibus" spending measures of recent years in which several bills are wrapped into a single package to ensure approval. And while there is the potential for Senate gridlock over a replacement for Supreme Court Justice O'Connor, most believe that the annual spending bills will be allowed to come to the floor during a filibuster.

The following are brief updates on some pertinent appropriations bills and other matters addressed this week in Washington.

### ***Housing and Urban Development***

The House approved the FY 2006 appropriations bill with jurisdiction over HUD, and highlights of that agency's spending bill include a six percent cut for the Community Development Block Grant program. During floor debate, an amendment was approved that would add \$68 million to CDBG, as was an amendment to fund the HUD Brownfields program at \$24 million, the same level as FY 2005. The House Appropriations Committee had recommended no funding for the program. *See July 17 Washington Report for additional details.*

### ***Transportation***

Funding for Amtrak in FY 2006 was the highlight of the floor debate over the Department of Transportation budget, as members successfully raised the proposed funding level for the railroad from \$550 million to almost \$1.2 billion. Also approved was an amendment to delete language preventing Amtrak from funding any of its routes that included a rider subsidy of over \$30. The great majority of Amtrak's long-distance routes include subsidies larger than that level. *See July 17 Washington Report for additional details.*

### ***Water Resources***

The Senate approved the FY 2006 Energy and Water Development appropriations bill this week. Funding issues will be chief among the issues for a House-Senate conference on the bill, as the Senate provided 12 percent more than the House for flood control and other water projects at the U.S. Army Corps of Engineers. In a related item, the House delayed final action on its version of the Water Resources Development Act (WRDA), which authorizes such water projects. House leadership did not believe that the bill could be completed before the start of the July 4 congressional recess that begins today. *See July 17 Washington Report for additional details.*

### ***Arts and Recreation***

The Senate also approved the FY 2006 Interior Department appropriations bill this week. That measure is also ready for a House-Senate conference committee, and Members will have to reconcile significant differences in funding for the Land and Water Conservation Fund (LWCF). The House eliminated funds for the federal acquisition and stateside grant programs under LWCF, while the Senate would provide \$162 million and \$30 million for those programs, respectively. The LWCF stateside program was funded at \$90 million in FY 2005. *See July 10 Washington Report for additional details.*

### ***Welfare Reform***

Congress approved the 10<sup>th</sup> extension of the 1996 Welfare Reform Act, keeping federal welfare and child care programs operating until September 30, 2005. Significant differences between the House and Senate exist on the welfare reauthorization, chief among them being child care assistance. In order to back up the increased work requirements in the bill for welfare recipients, the Senate proposes \$10.8 billion over five years for federal child care programs, while the House would allow for \$5.8 billion over that same period. *See March 18 Washington Report for additional details.*

### ***E-911 for VoIP***

The Federal Communications Commission published a notice this week that requires all Voice over Internet Protocol (VoIP) providers to make E-911 services available to all of their customers. Those providers will have until November 28, or 120 days from the June 29 publication of the notice, to comply. Under the new rules, each VoIP subscriber will have to be specifically advised of the timetable and particulars of the service. *See May 20 Washington Report for additional details.*

**Steve D Hubka/Notes**

07/06/05 02:46 PM



To CouncilPacket/Notes@Notes

cc Jan L Bolin/Notes@Notes, Sherry L Wolf/Notes@Notes,  
Donald R Herz/Notes

bcc

Subject Budget Information

Attached are to PDF files of information regarding Coventry, our future Health care provider. Dan asked for the Moody's and Std. and Poor's bond ratings. Those are Ba1 and BBB- respectively. We were asked to provide a history of Health care rates and a summary of plan benefits. This is provided in the "Info for Steve Hubka pdf file. In the other PDF file is some other narrative discussing Coventry's financial status

and A. M. Best ratings.  - CHCH9166 - Financial Overvi.pdf  - Info for Steve Hubka.PDF

City Departments are preparing answers to questions provided to us to date. These include written questions from Dan and Robin and also questions/issues identified at our meeting June 29th. These answers will be provided in verbal form at the budget meetings next week. Since we understand it to be Council's desire to not have the usual budget presentations but instead have questions answered, the Departments will be prepared to answer the questions previously provided and others that might follow. The Department's that appear before the Common might use the more customary format for these meetings since they also involve the County Board.

We're also providing two graphs requested by Robin. While we couldn't produce exactly the format requested, the information is what was requested. Because of the great difference in the amounts of budgets, the bar graph looks odd with some department's "bars" barely visible, and others towering over the rest. If you have further questions prior to next week, please let us know.



- GFBudgetGraph.pdf



- CIPBudgetGraphs.pdf

As a publicly traded company that operates in a heavily regulated industry, considerable public information exists on the financial progress and results of Coventry Health Care, Inc. (Coventry). As but two examples, excellent sources of information are Coventry's Annual Report and required SEC filings ... updated versions of which can always be easily accessed through our website [www.cvty.com](http://www.cvty.com).

A review of our finances reveals Coventry is a financially strong company with a conservative balance sheet and outstanding record of profitable growth. At year's end 2004, Coventry had 2.5 million members, total revenues of \$5.3 billion, total cash and investments of \$1.7 billion, and total assets of \$2.3 billion.

**Coventry is a financially strong company with a conservative balance sheet and record of outstanding profitable growth.**

Coventry's tangible net worth grew from \$9 million in 1997 to \$893 million in 2004. From 2000 to 2004, the company's steady financial progress was also revealed in key Compounded Annual Growth Rates (CAGRs):

- Membership grew at a CAGR of 10%
- Revenues grew at a CAGR of 20%
- Cash and Invested assets grew at a CAGR of 23%

Beyond these indicators, most states have adopted, based on recommendations from the National Association of Insurance Commissioners (NAIC), a risk-based capital (RBC) formula for determining minimum surplus levels of capital (net worth) requirements. Coventry's own internal policy is to maintain an aggregate capital position that is 150% of state requirements.

As a result, at year-end 2004, Coventry's actual (Statutory) capital position was above and beyond both state and our own internal requirements:

- 2004 State RBC Requirement: \$343.5 million
- Coventry's Internal Policy Requirement: \$515.4 million
- Coventry's Statutory Capital: \$727.3 million
- Excess Capital over RBC: \$383.8 million (212% of RBC requirement)

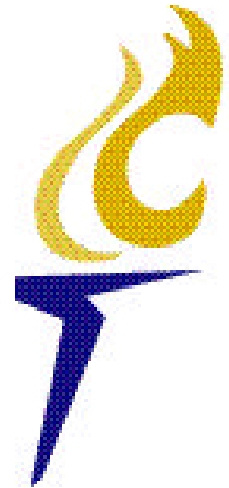
Ongoing, independent review of Coventry's finances also occurs. A.M. Best is the exclusive financial rating agency Coventry has chosen to work with on an interactive basis to rate its HMO subsidiaries, Coventry Health and Life Insurance Company and HealthAssurance Pennsylvania, Inc. Coventry first received ratings from A.M. Best in 2002.

A.M. Best ratings fall into one of three broad categories: *Secure*, *Vulnerable* or *Not rated*. **Each of Coventry's subsidiaries has received a score deemed by A.M. Best to be in the category of *Secure*.** A.M. Best describes secure health-care organizations as having a strong or good long-term ability to meet their obligations to members and policyholders. Those classified in the secure rating categories maintain a level of financial strength that is "not vulnerable to unfavorable changes in the business, economic or regulatory environment."

A.M. Best has assigned financial strength ratings of B++ or B+ (Very Good) to each of Coventry's subsidiaries. It indicated these rating actions "reflect Coventry's consistent consolidated earnings growth, improved capitalization and conservative financial leverage." One subsidiary, Altius Health Plans, realized an upgrade in its rating to B+, concurrent with being acquired by Coventry. A.M. Best also assigned *Positive Outlooks* in 2003 to Coventry Health Care of Nebraska, Southern Health Services, Inc., and WellPath Select, Inc. (WellPath). In 2004, the rating agency upgraded WellPath's financial strength rating to B++ (Very Good).

A.M. Best has called the parent company's financial flexibility good, and has recognized that Coventry has the "intention and ability" to support its subsidiaries with capital contributions as required by each state's Department of Insurance. A.M. Best **reaffirmed** Coventry's financial strength ratings in January 2005 upon review of the financing and integration strategy of the company's acquisition of First Health Group Corp.

**Coventry's Annual Report and additional information is available through our website at [www.cvty.com](http://www.cvty.com).**



**City of Lincoln**  
**Health Insurance Monthly Rates**  
**1997-2006**

<u>Year</u>	<u>Company</u>		<u>Single</u>	<u>%Change</u>	<u>2/4 Party</u>	<u>%Change</u>	<u>Family</u>	<u>%Change</u>
2005-2006	Coventry	Full Rate	\$415.24	-6.09%	\$921.83	-5.98%	\$1,220.81	-6.20%
2004-2005	United HealthCare	Full Rate	\$442.16	8.50%	\$980.44	8.50%	\$1,301.56	8.50%
		City Share	<u>\$420.06</u>		<u>\$803.96</u>		<u>\$1,067.28</u>	
		Employee Share	\$22.10	8.44%	\$176.48	8.51%	\$234.28	8.50%
2003-2004	United HealthCare	Full Rate	\$407.52	12.50%	\$903.62	12.50%	\$1,199.60	12.50%
		City Share	<u>\$387.14</u>		<u>\$740.98</u>		<u>\$983.68</u>	
		Employee Share	\$20.38	181.49%	\$162.64	-7.96%	\$215.92	-7.95%
2002-2003	United HealthCare	Full Rate	\$362.24	5.80%	\$803.22	5.79%	\$1,066.30	5.80%
		City Share	<u>\$355.00</u>		<u>\$626.52</u>		<u>\$831.72</u>	
		Employee Share	\$7.24	5.85%	\$176.70	5.78%	\$234.58	5.80%
2001-2002	United HealthCare	Full Rate	\$342.38	16.50%	\$759.28	16.50%	\$1,007.84	16.50%
		City Share	<u>\$335.54</u>		<u>\$592.24</u>		<u>\$786.12</u>	
		Employee Share	\$6.84	16.33%	\$167.04	16.50%	\$221.72	16.50%
2000-2001	United HealthCare	Full Rate	\$293.90	29.71%	\$651.74	29.71%	\$865.10	29.71%
		City Share	<u>\$288.02</u>		<u>\$508.36</u>		<u>\$674.78</u>	
		Employee Share	\$5.88	n/a	\$143.38	11.79%	\$190.32	11.57%
1999-2000	United HealthCare	Full Rate	\$226.59	29.00%	\$502.47	29.00%	\$666.97	29.00%
		City Share	<u>\$226.59</u>		<u>\$374.21</u>		<u>\$496.39</u>	
		Employee Share	\$0.00	n/a	\$128.26	245.99%	\$170.58	246.57%
1998-1999	United HealthCare	Full Rate	\$175.65	-5.28%	\$389.51	-5.28%	\$517.03	-5.28%
		City Share	<u>\$175.65</u>		<u>\$352.44</u>		<u>\$467.81</u>	
		Employee Share	\$0.00	n/a	\$37.07	-66.61%	\$49.22	-66.60%
1997-1998	City of Lincoln Health/PPO	Full Rate	\$185.44	n/a	\$411.24	n/a	\$545.86	n/a
		City Share	<u>\$185.44</u>		<u>\$300.21</u>		<u>\$398.48</u>	
		Employee Share	\$0.00	n/a	\$111.03	n/a	\$147.38	n/a
1997-1998	HMO Nebraska	Full Rate	\$160.92	n/a	\$368.08	n/a	\$479.63	n/a
		City Share	<u>\$160.92</u>		<u>\$300.21</u>		<u>\$398.48</u>	
		Employee Share	\$0.00	n/a	\$67.87	n/a	\$81.15	n/a
1997-1998	HealthAmerica	Full Rate	\$139.89	n/a	\$335.71	n/a	\$433.62	n/a
		City Share	<u>\$139.89</u>		<u>\$300.21</u>		<u>\$398.48</u>	
		Employee Share	\$0.00	n/a	\$35.50	n/a	\$35.14	n/a

## **Choice Plus *Plan 065***

Choice Plus plan gives you the freedom to see any Physician or other health care professional from the Network, including specialists, without a referral. With this plan, you will receive the highest level of benefits when you seek care from a network physician, facility or other health care professional. In addition, you do not have to worry about any claim forms or bills.

You also may choose to seek care outside the Network, without a referral. However, you should know that care received from a non-network physician, facility or other health care professional means a higher deductible and Copayment. In addition, if you choose to seek care outside the Network, your plan only pays a portion of those charges and it is your responsibility to pay the remainder. This amount you are required to pay, which could be significant, does not apply to the Out-of-Pocket Maximum. We recommend that you ask the non-network physician or health care professional about their billed charges *before you receive care*.

### ***Some of the Important Benefits of Your Plan:***

You have access to a Network of physicians, facilities and other health care professionals, including specialists, without designating a Primary Physician or obtaining a referral.

Benefits are available for office visits and hospital care, as well as inpatient and outpatient surgery.

Care Coordination<sup>SM</sup> services are available to help identify and prevent delays in care for those who might need specialized help.

Emergencies are covered anywhere in the world.

Pap smears are covered.

Prenatal care is covered.

Routine check-ups are covered.

Childhood immunizations are covered.

Mammograms are covered.

Vision and hearing screenings are covered.

# Choice Plus *Benefits Summary*

## Types of Coverage

This Benefit Summary is intended only to highlight your Benefits and should not be relied upon to fully determine coverage. This benefit plan may not cover all of your health care expenses. **More complete descriptions of Benefits and the terms under which they are provided are contained in the Summary Plan Description that you will receive upon enrolling in the Plan.**

If this Benefit Summary conflicts in any way with the Summary Plan Description issued to your employer, the Summary Plan Description shall prevail.

Terms that are capitalized in the Benefit Summary are defined in the Summary Plan Description.

Where Benefits are subject to day, visit and/or dollar limits, such limits apply to the combined use of Benefits whether in-Network or out-of-Network, except where mandated by state law.

Network Benefits are payable for Covered Health Services provided by or under the direction of your Network physician.

\*Prior Notification is required for certain services.

## Network Benefits / Copayment Amounts

**Annual Deductible:** \$250 per Covered Person per calendar year, not to exceed \$500 for all Covered Persons in a family.

**Out-of-Pocket Maximum:** \$500 per Covered Person per calendar year, not to exceed \$1,000 for all Covered Persons in a family. The Out-of-Pocket Maximum does not include the Annual Deductible. Copayments for some Covered Health Services will never apply to the Out-of-Pocket Maximum as specified in Section 1 of the SPD.

**Maximum Plan Benefit:** No Maximum Plan Benefit.

## Non-Network Benefits / Copayment Amounts

**Annual Deductible:** \$250 per Covered Person per calendar year, not to exceed \$500 for all Covered Persons in a family.

**Out-of-Pocket Maximum:** \$1,250 per Covered Person per calendar year, not to exceed \$2,500 for all Covered Persons in a family. The Out-of-Pocket Maximum does not include the Annual Deductible. Copayments for some Covered Health Services will never apply to the Out-of-Pocket Maximum as specified in Section 1 of the SPD.

**Maximum Plan Benefit:** \$1,000,000 per Covered Person.

<b>1. Ambulance Services - Emergency only</b>	Ground Transportation: 10% of Eligible Expenses Air Transportation: 10% of Eligible Expenses	Same as Network Benefit
<b>2. Dental Services - Accident only</b>	*10% of Eligible Expenses  *Prior notification is required before follow-up treatment begins.	*Same as Network Benefit  *Prior notification is required before follow-up treatment begins.
<b>3. Durable Medical Equipment</b> Network and Non-Network Benefits for Durable Medical Equipment are limited to \$2,500 per calendar year.	10% of Eligible Expenses	*20% of Eligible Expenses  *Prior notification is required when the cost is more than \$1,000
<b>4. Emergency Health Services</b>	\$100 per visit	Same as Network Benefit  *Notification is required if results in an Inpatient Stay.
<b>5. Eye Examinations</b> Refractive eye examinations are limited to one every other calendar year from a Network Provider.	\$15 per visit	20% of Eligible Expenses  Eye Examinations for refractive errors are not covered.
<b>6. Home Health Care</b> Network and Non-Network Benefits are limited to 60 visits for skilled care services per calendar year.	10% of Eligible Expenses	*20% of Eligible Expenses
<b>7. Hospice Care</b> Network and Non-Network Benefits are limited to 360 days during the entire period of time a Covered Person is covered under the Plan.	10% of Eligible Expenses	*20% of Eligible Expenses
<b>8. Hospital - Inpatient Stay</b>	10% of Eligible Expenses	*20% of Eligible Expenses
<b>9. Injections Received in a Physician's Office</b>	\$15 per visit	20% per injection
<b>10. Maternity Services</b>	Same as 8, 11, 12 and 13  No Copayment applies to Physician office visits for prenatal care after the first visit.	Same as 8, 11, 12 and 13  *Notification is required if Inpatient Stay exceeds 48 hours following a normal vaginal delivery or 96 hours following a cesarean section delivery.
<b>11. Outpatient Surgery, Diagnostic and Therapeutic Services</b>		
Outpatient Surgery	10% of Eligible Expenses	20% of Eligible Expenses
Outpatient Diagnostic Services	For lab and radiology/Xray: 10% of Eligible Expenses For mammography testing: 10% of Eligible Expenses	20% of Eligible Expenses
Outpatient Diagnostic/Therapeutic Services - CT Scans, Pet Scans, MRI and Nuclear Medicine	10% of Eligible Expenses	20% of Eligible Expenses
Outpatient Therapeutic Treatments	10% of Eligible Expenses	20% of Eligible Expenses
<b>12. Physician's Office Services</b>	\$15 per visit. No Copayment applies when a Physician charge is not assessed.	20% of Eligible Expenses.

# CITY OF LINCOLN BENEFITS

Types of Coverage	Network Benefits / Copayment Amounts	Non-Network Benefits / Copayment Amounts
<b>13. Professional Fees for Surgical and Medical Services</b>	10% of Eligible Expenses	20% of Eligible Expenses
<b>14. Prosthetic Devices</b> Network and Non-Network Benefits for prosthetic devices are limited to \$2,500 per calendar year.	10% of Eligible Expenses	20% of Eligible Expenses
<b>15. Reconstructive Procedures</b>	Same as 8, 11, 12, 13 and 14	*Same as 8, 11, 12, 13 and 14
<b>16. Rehabilitation Services -Outpatient Therapy</b> Network and Non-Network Benefits are limited as follows: 20 visits of physical therapy; 20 visits of occupational therapy; 20 visits of speech therapy; 20 visits of pulmonary rehabilitation; and 36 visits of cardiac rehabilitation per calendar year.	\$15 per visit	20% of Eligible Expenses
<b>17. Skilled Nursing Facility/Inpatient Rehabilitation Facility Services</b> Network and Non-Network Benefits are limited to 60 days per calendar year.	10% of Eligible Expenses	*20% of Eligible Expenses
<b>18. Transplantation Services</b>	*10% of Eligible Expenses	*20% of Eligible Expenses Benefits are limited to \$30,000 per transplant.
<b>19. Urgent Care Center Services</b>	\$35 per visit	20% of Eligible Expenses
<b>Additional Benefits</b>		
<b>Mental Health and Substance Abuse Services – Outpatient</b> Must receive prior authorization through the Mental Health/Substance Abuse Designee. Network and Non-Network Benefits are limited to 20 visits per calendar year.  <b>Serious Mental Illness is covered the same as any other Mental Illness, but is not subject to the annual visit limit maximum.</b>	\$15 per individual visit; \$10 per group visit.	20% of Eligible Expenses
<b>Mental Health and Substance Abuse Services – Inpatient and Intermediate</b> Must receive prior authorization through the Mental Health/Substance Abuse Designee. Network and Non-Network Benefits are limited to 30 days per calendar year.  <b>Serious Mental Illness is covered the same as any other Mental Illness, but is not subject to the annual day limit maximum.</b>	10% of Eligible Expenses	20% of Eligible Expenses
<b>Spinal Treatment</b> Benefits include diagnosis and related services and are limited to one visit and treatment per day. Network and Non-Network Benefits are limited to 24 visits per calendar year.	\$15 per visit	20% of Eligible Expenses
<b>Diabetes Treatment</b> Benefits include diagnosis and related services and are limited to one visit and treatment per day.	10% of Eligible Expenses for Equipment and supplies; \$15 per visit for diabetes Self-Management training.	20% of Eligible Expenses for equipment and supplies; \$30 per visit for diabetes self-management training.  *Prior notification is required when the cost is more than \$1,000.
<b>Temporomandibular Joint Disorder (TMJ)</b> Benefits are subject to a Maximum Policy Benefit of \$2,500.	Same as 8, 11, 12, 13, 14 and 15.	Same as 8, 11, 12, 13, 14 and 15.
<b>Pharmacy</b>	Tier 1 \$10 (Formerly called Generic)	Tier 1 \$10 (Formerly called Generic)
<b>Retail Pharmacy</b> Benefits are available for up to a 31-day supply.	Tier 2 \$25 (Formerly called Brand) Tier 3 \$40 (Formerly called Non-Preferred Brand)	Tier 2 \$25 (Formerly called Brand) Tier 3 \$40 (Formerly called Non-Preferred Brand)
<b>Home Delivery (Mail-Service) Pharmacy</b> Benefits are available for up to a 90-day supply.	Tier 1 \$25 (Formerly called Generic) Tier 2 \$62.50 (Formerly called Brand) Tier 3 \$100 (Formerly called Non-Preferred Brand)	Not Covered.

## Exclusions

Except as may be specifically provided in Section 1 of the Summary Plan Description (SPD) or through a Rider to the Plan, the following are not covered:

### A. Alternative Treatments

Acupressure; hypnosis; rolfing; massage therapy; aromatherapy; acupuncture; and other forms of alternative treatment.

### B. Comfort or Convenience

Personal comfort or convenience items or services such as television; telephone; barber or beauty service; guest service; supplies, equipment and similar incidental services and supplies for personal comfort including air conditioners, air purifiers and filters, batteries and battery chargers, dehumidifiers and humidifiers; devices or computers to assist in communication and speech.

### C. Dental

Except as specifically described as covered in Section 1 of the SPD for services to repair a sound natural tooth that has documented accident-related damage, dental services are excluded. There is no coverage for services provided for the prevention, diagnosis, and treatment of the teeth, jawbones or gums (including extraction, restoration, and replacement of teeth, medical or surgical treatments of dental conditions, and services to improve dental clinical outcomes). Dental implants and dental braces are excluded. Dental x-rays, supplies and appliances and all associated expenses arising out of such dental services (including hospitalizations and anesthesia) are excluded, except as might otherwise be required for transplant preparation, initiation of immunosuppressives, or the direct treatment of acute traumatic injury, cancer, or cleft palate. Treatment for congenitally missing, malpositioned, or super numerary teeth is excluded, even if part of a Congenital Anomaly.

### D. Drugs

Prescription drug products for outpatient use that are filled by a prescription order or refill. Self-injectable medications. Non-injectable medications given in a Physician's office except as required in an Emergency. Over-the-counter drugs and treatments.

### E. Experimental, Investigational or Unproven Services

Experimental, Investigational or Unproven Services are excluded. The fact that an Experimental, Investigational or Unproven Service, treatment, device or pharmacological regimen is the only available treatment for a particular condition will not result in Benefits if the procedure is considered to be Experimental, Investigational or Unproven in the treatment of that particular condition.

### F. Foot Care

Routine foot care (including the cutting or removal of corns and calluses); nail trimming, cutting, or debridging; hygienic and preventive maintenance foot care; treatment of flat feet or subluxation of the foot; shoe orthotics.

### G. Medical Supplies and Appliances

Devices used specifically as safety items or to affect performance primarily in sports-related activities. Prescribed or non-prescribed medical supplies and disposable supplies including but not limited to elastic stockings, ace bandages, gauze and dressings, ostomy supplies, syringes and diabetic test strips. Orthotic appliances that straighten or re-shape a body part (including cranial banding and some types of braces). Tubings and masks are not covered except when used with Durable Medical Equipment as described in Section 1 of the SPD.

### H. Mental Health/Substance Abuse

Services performed in connection with conditions not classified in the current edition of the Diagnostic and Statistical Manual of the American Psychiatric Association. Services that extend beyond the period necessary for short-term evaluation, diagnosis, treatment, or crisis intervention. Mental Health treatment of insomnia and other sleep disorders, neurological disorders, and other disorders with a known physical basis.

Treatment of conduct and impulse control disorders, personality disorders, paraphilias and other Mental Illnesses that will not substantially improve beyond the current level of functioning, or that are not subject to favorable modification or management according to prevailing national standards of clinical practice, as reasonably determined by the Mental Health/Substance Abuse Designee.

Services utilizing methadone treatment as maintenance, L.A.A.M. (1-Alpha-Acetyl-Methadol), Cyclozocine, or their equivalents. Treatment provided in connection with or to comply with involuntary commitments, police detentions and other similar arrangements, unless authorized by the Mental Health/Substance Abuse Designee. Residential treatment services. Services or supplies that in the reasonable judgment of the Mental Health/Substance Abuse Designee are not, for example, consistent with certain national standards or professional research further described in Section 2 of the SPD.

### I. Nutrition

Megavitamin and nutrition based therapy; nutritional counseling for either individuals or groups. Enteral feedings and other nutritional and electrolyte supplements, including infant formula and donor breast milk.

### J. Physical Appearance

Cosmetic Procedures including, but not limited to, pharmacological regimens; nutritional procedures or treatments; salabrasion, chemosurgery and other such skin abrasion procedures associated with the removal of scars, tattoos, and/or which are performed as a treatment for acne. Replacement of an existing breast implant is excluded if the earlier breast implant was a Cosmetic Procedure. (Replacement of an existing breast implant is considered reconstructive if the initial breast implant followed mastectomy.)

## CITY OF LINCOLN

Physical conditioning programs such as athletic training, bodybuilding, exercise, fitness, flexibility, and diversion or general motivation. Weight loss programs for medical and non-medical reasons. Wigs, regardless of the reason for the hair loss.

### K. Providers

Services performed by a provider with your same legal residence or who is a family member by birth or marriage, including spouse, brother, sister, parent or child. This includes any service the provider may perform on himself or herself. Services provided at a free-standing or Hospital-based diagnostic facility without an order written by a Physician or other provider as further described in Section 2 of the SPD (this exclusion does not apply to mammography testing).

### L. Reproduction

Health services and associated expenses for infertility treatments.

Surrogate parenting. The reversal of voluntary sterilization.

### M. Services Provided under Another Plan

Health services for which other coverage is required by federal, state or local law to be purchased or provided through other arrangements, including but not limited to coverage required by workers' compensation, no-fault automobile insurance, or similar legislation. If coverage under workers' compensation or similar legislation is optional because you could elect it, or could have it elected for you, Benefits will not be paid for any Injury, Mental Illness or Sickness that would have been covered under workers' compensation or similar legislation had that coverage been elected.

Health services for treatment of military service-related disabilities, when you are legally entitled to other coverage and facilities are reasonably available to you. Health services while on active military duty.

### N. Transplants

Health services for organ or tissue transplants are excluded, except those specified as covered in Section 1 of the SPD. Any solid organ transplant that is performed as a treatment for cancer.

Health services connected with the removal of an organ or tissue from you for purposes of a transplant to another person. Health services for transplants involving mechanical or animal organs.

Any multiple organ transplant not listed as a Covered Health Service in Section 1 of the SPD.

### O. Travel

Health services provided in a foreign country, unless required as Emergency Health Services.

Travel or transportation expenses, even though prescribed by a Physician. Some travel expenses related to covered transplantation services may be reimbursed at our discretion.

### P. Vision and Hearing

Purchase cost of eye glasses, contact lenses, or hearing aids. Fitting charge for hearing aids, eye glasses or contact lenses. Eye exercise therapy. Surgery that is intended to allow you to see better without glasses or other vision correction including radial keratotomy, laser, and other refractive eye surgery.

### Q. Other Exclusions

Health services and supplies that do not meet the definition of a Covered Health Service - see definition in Section 10 of the SPD.

Physical, psychiatric or psychological examinations, testing, vaccinations, immunizations or treatments otherwise covered under the Plan, when such services are: (1) required solely for purposes of career, education, sports or camp, travel, employment, insurance, marriage or adoption; (2) relating to judicial or administrative proceedings or orders; (3) conducted for purposes of medical research; or (4) to obtain or maintain a license of any type.

Health services received as a result of war or any act of war, whether declared or undeclared or caused during service in the armed forces of any country.

Health services received after the date your coverage under the Plan ends, including health services for medical conditions arising prior to the date your coverage under the Plan ends.

Health services for which you have no legal responsibility to pay, or for which a charge would not ordinarily be made in the absence of coverage under the Plan.

In the event that a Non-Network provider waives Copayments and/or the Annual Deductible for a particular health service, no Benefits are provided for the health service for which Copayments and/or the Annual Deductible are waived.

Charges in excess of Eligible Expenses or in excess of any specified limitation.

Services for the evaluation and treatment of temporomandibular joint syndrome (TMJ), whether the services are considered to be medical or dental in nature.

Upper and lower jaw bone surgery except as required for direct treatment of acute traumatic injury or cancer. Orthognathic surgery, jaw alignment, and treatment for the temporomandibular joint, except as a treatment of obstructive sleep apnea.

Surgical treatment and non-surgical treatment of obesity (including morbid obesity).

Growth hormone therapy; sex transformation operations; treatment of benign gynecomastia (abnormal breast enlargement in males); medical and surgical treatment of excessive sweating (hyperhidrosis); medical and surgical treatment for snoring, except when provided as part of treatment for documented obstructive sleep apnea. Oral appliances for snoring.

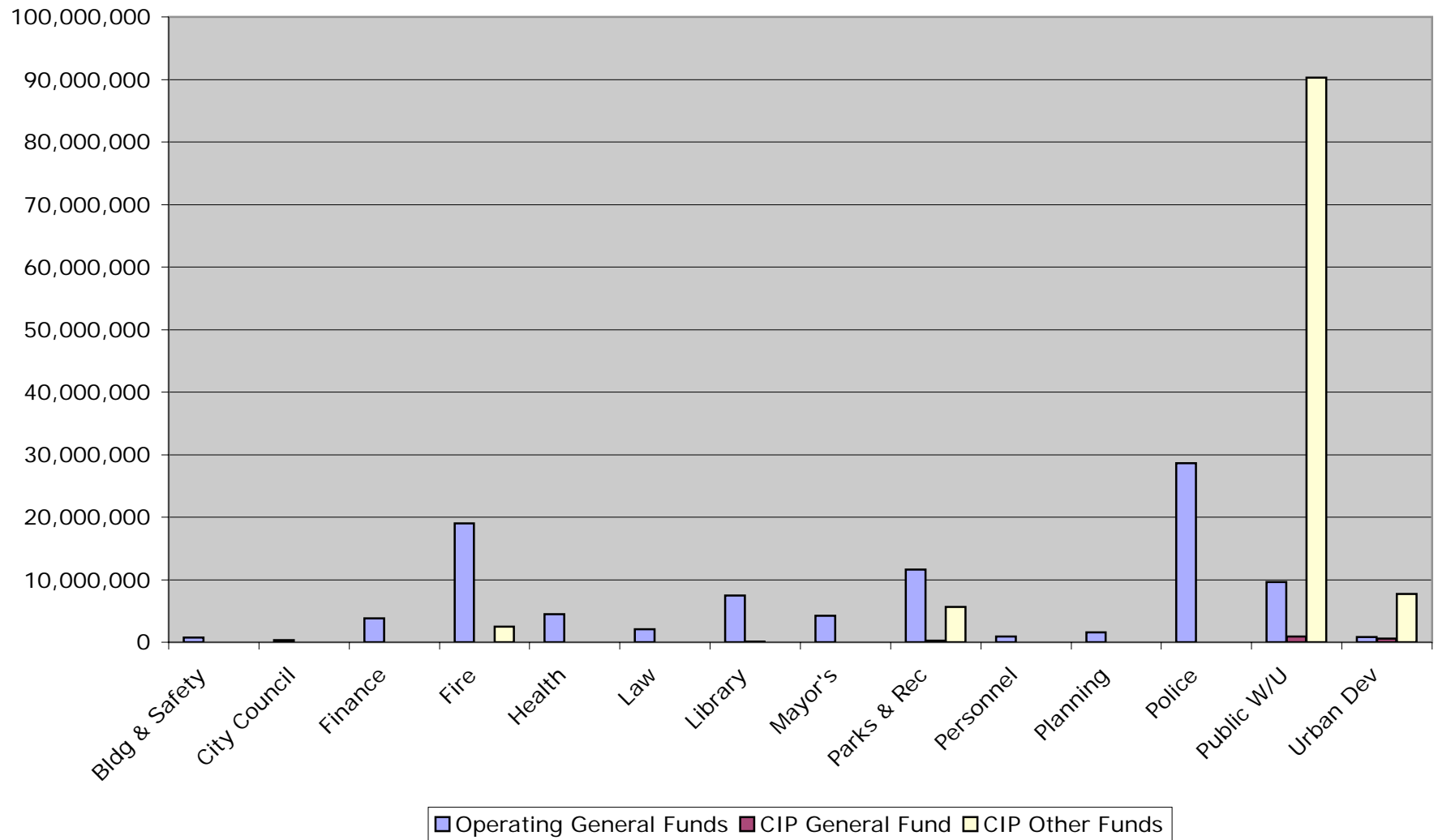
Custodial care; domiciliary care; private duty nursing; respite care; rest cures.

Psychosurgery. Speech therapy except as required for treatment of a speech impediment or speech dysfunction that results from injury, stroke or Congenital Anomaly.

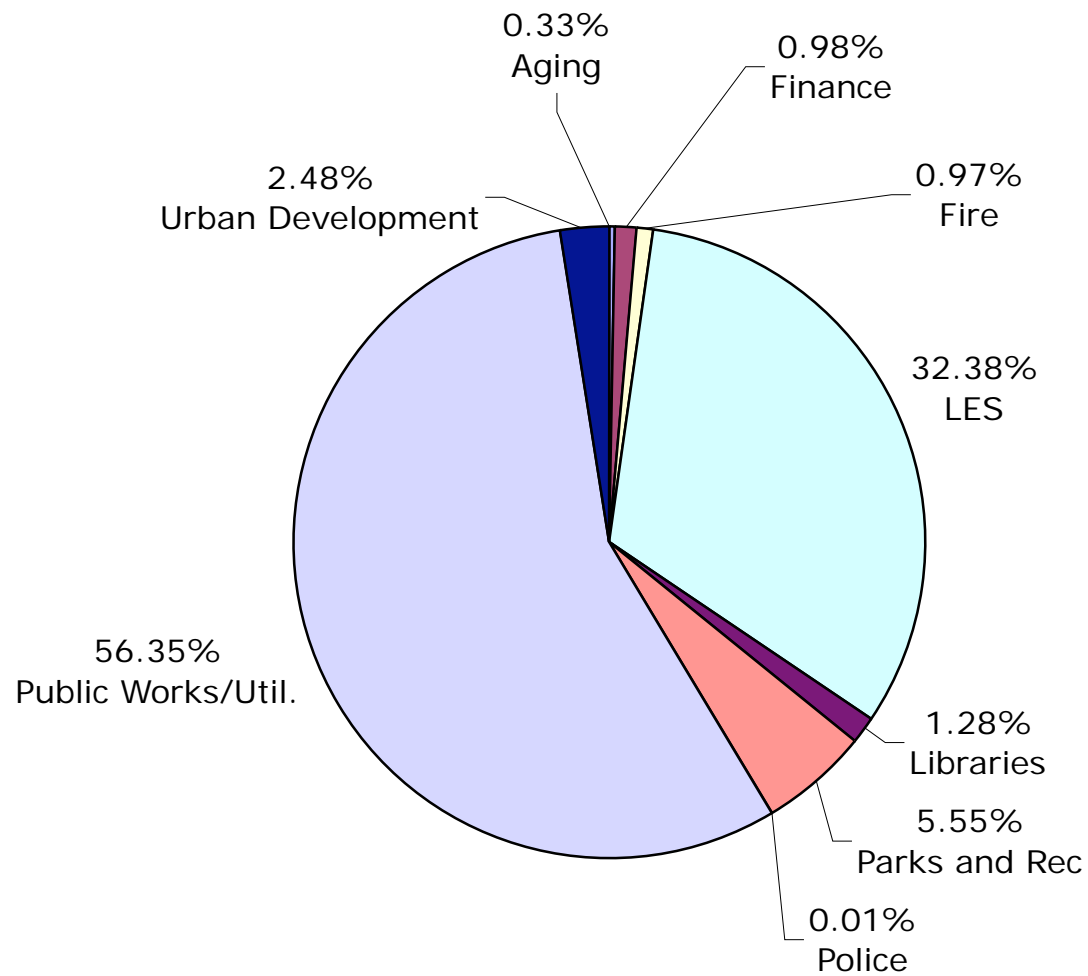
This summary of Benefits is intended only to highlight your Benefits and should not be relied upon to fully determine coverage. This plan may not cover all your health care expenses. Please refer to the Summary Plan Description for a complete listing of services, limitations, exclusions and a description of all the terms and conditions of coverage. If this description conflicts in any way with the Summary Plan Description, the Summary Plan Description prevails. Terms that are capitalized in the Benefit Summary are defined in the Summary Plan Description.



## General Fund Operating Funds, General CIP Funds and All Other CIP Funds



## Six Year CIP Percentage By Department - All Funds



**PLANNING COMMISSION FINAL ACTION  
NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** July 7, 2005

**RE :** **Special Permit No. 05032 - DENIED**  
(Expansion of nonconforming use to allow an outdoor beer garden at the Library Lounge, 6891 A Street)

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 6, 2005:

Motion made by Carlson, seconded by Larson to **deny Special Permit No. 05032**, requested by Cynthia Swanson, for authority to expand a non-conforming use to allow an outdoor beer garden on property located at The Library Lounge at 6891 A Street, Suite 200. Motion to **deny** carried 5-0 (Carroll, Carlson, Esseks, Larson and Bills-Strand voting 'yes'; Krieser, Pearson, Sunderman and Taylor absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

On July 6, 2005, the applicant filed a letter of appeal with the City Clerk. The public hearing before the City Council is tentatively scheduled for Monday, July 25, 2005, at 5:30 p.m.

**Attachment**

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Cynthia Swanson, 1840 Rusty Lane, 68506  
MB Caffry, 12835 Jones Street, Omaha, NE 68154  
Richard and Eloise Agee, 2541 Woodleigh Lane, 68512  
Gary Walsh, Health Department  
Jerry E. and Connie J. Barnett, 6820 Rexford Drive, 68506  
Vic Cottrell, 1412 Kingston Road, 68506  
Paul Berggren, 7420 Lambert Place, 68516  
Norman Otto, 1500 Kingston Road, 68506  
Jim Otto, 6903 Rexford Drive, 68506

RESOLUTION NO. PC-\_\_

**DENIED by Planning Commission, 5-0,  
July 6, 2005**

SPECIAL PERMIT NO. 05032

1 WHEREAS, Cynthia Swanson has submitted an application designated as  
2 Special Permit No. 05032 for expansion of a non-conforming use to allow an outdoor  
3 beer garden on property located at The Library Lounge at 6891 A Street, Suite 200, and  
4 legally described as follows:

5 Lot 4, except the north 190 feet of the east 190 feet thereof,  
6 Block 1, Huntington First Addition, Lincoln, Lancaster  
7 County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has  
9 held a public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood,  
11 and the real property adjacent to the area included within the site plan for this expansion  
12 of a liquor license for an outdoor beer garden will not be adversely affected by granting  
13 such a permit; and

14 WHEREAS, said site plan together with the terms and conditions  
15 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln  
16 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the  
17 public health, safety, and general welfare.

1                   NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster  
2 County Planning Commission of Lincoln, Nebraska:

3                   That the application of Cynthia Swanson, hereinafter referred to as  
4 "Permittee", to expand a non-conforming use to allow an outdoor beer garden be and  
5 the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln  
6 Municipal Code upon condition that outdoor beer garden be in strict compliance with  
7 said application, the site plan, and the following additional express terms, conditions,  
8 and requirements:

9               1.       This permit approves the expansion of the area designated for the sale of  
10 alcohol for consumption on the premises as shown on the site plan.

11           2.       Before receiving building permits:

12               a.       The Permittee shall submit to the Planning Department for review  
13                       and approval five copies of the revised site plan showing a  
14                       reduction of the dimensions of the outdoor beer garden to the  
15                       satisfaction of Public Works and Utilities, with the beer garden  
16                       remaining centered along the south wall of the existing building.

17               b.       The construction plans must comply with the approved plans.

18           3.       Before the sale of alcohol for consumption on the premises, all  
19 development and construction must comply with the approved plans.

20           4.       The site plan approved by this permit shall be the basis for all  
21 interpretations of setbacks, yards, locations of buildings, location of parking and  
22 circulation elements, and similar matters.

23           5.       This resolution's terms, conditions, and requirements bind and obligate the  
24 Permittee, its successors and assigns.

1           6.     The applicant shall sign and return the letter of acceptance to the City  
2 Clerk within 30 days following the approval of the special permit, provided, however,  
3 said 30-day period may be extended up to six months by administrative amendment.  
4 The clerk shall file a copy of the resolution approving the special permit and the letter of  
5 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the  
6 applicant.

7                     The foregoing Resolution was approved by the Lincoln City-Lancaster  
8 County Planning Commission on this \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

**DENIED by Planning Commission, 5-0 (Larson,  
Carroll, Carlson, Esseks and Bills-Strand  
voting 'yes'; Krieser, Pearson, Sunderman and  
Taylor absent). July 6, 2005**

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney



**Randy W Hoskins/Notes**

07/05/05 05:11 PM

To bbartels@ksu.edu

cc amcroy@mccrealty.com, newman2003@neb.rr.com,  
ksvoboda@alltel.net, joncampcc@aol.com,  
robine@neb.rr.com, dmarvin@neb.rr.com,

bcc

Subject Re: Student Project--(Traffic signal issue)--Brian Bartels 📎

Mr. Bartels:

I applaud your research on the subject of installing protected left turn phasing at signalized intersections. The statements you have made are for the most part accurate and your suggestion merits consideration. Left turns off of the major streets in Lincoln can be difficult during peak times, not only at signalized intersections, but at all streets and driveways.

The City of Lincoln does have criteria that we look at when deciding whether or not to install left turn phasing at an intersection. During the three peak hours of a day, we separately look at the number of left turning vehicles and the number of through and right turning vehicles with which they would come into conflict for each direction of travel. When the product of these two volumes for a single approach equals or exceeds 100,000 for a multiple lane approach or 50,000 for a single lane approach, we consider installing some form of protected left turn phasing. We also look at the number of crashes that are occurring at the intersection to see if we reach a threshold of crashes that would be correctible by the installation of protected left turn phasing. We do this on an annual basis to determine whether intersections need this treatment for either safety or operational efficiency reasons. To date, the intersection of 32nd and Pine Lake Road has not met these criteria for installation of left turn phasing.

You touched on the primary reason for installing left turn signals, that of safety. While left turn signals do provide for safer operations for left turning vehicles, they do not come without a cost. One signal "cycle" is the time it takes from the start of the green on Pine Lake until the signal comes back around to the start of green the next time on Pine Lake. During peak times, we may use a 120 second cycle length for the intersection. Those 120 seconds are currently broken down into north/south and east/west green, yellow and all red time. For a minor street such as 32nd Street, the green time motorists on that street would get would typically be limited to the minimum amount of time it would take a pedestrian to safely cross the street. The remainder of the time would go to Pine Lake. That allotment of time would then be factored into the calculations to ensure that traffic on the Pine Lake corridor can travel up and down the street hitting as many green lights as possible.

When you add a left turn arrow into the timing plan, you have to take the green time away from another movement to give it to the left turning traffic. In this case you are now taking the time away from the Pine Lake through movements, since 32nd St is already at the minimum that it can be. This means that traffic will have less time to flow along Pine Lake. When you consider that during the PM peak hour you have a total entering volume along Pine Lake of about 14 through and right turn movements for every left turning vehicle, taking time away from the through movement increases the delay to those motorists significantly. The reduction in green time for the through vehicles also makes it more difficult to keep traffic moving along the corridor, amounting to more stops experienced by more vehicles traveling up and down the street.

Creating more stops for through traffic is also a concern. Poorly coordinated signals that frequently require traffic to stop also results in an increase in the number of crashes experienced. These typically are rear end collisions, which generally are not as severe as the turning crashes that occur without left turn phasing. The result is that we need to judiciously use left turn arrows in order to maximize their positive aspects while minimizing the negative ones. Cost is never a consideration in whether or not to deploy left turn arrows, the only impact it might have is when we would be able to install them, based upon budgetary considerations.

We will continue to monitor this intersection in the future to determine if the addition of left turn arrows will

have a positive impact on the operation of the intersection.

Randy Hoskins, P.E.  
City Traffic Engineer  
Lincoln, NE

bbartels@ksu.edu



bbartels@ksu.edu

07/03/2005 01:29 AM

To "rhoskins@lincoln.ne.gov" <rhoskins@lincoln.ne.gov>

cc

Subject Student Project--(Traffic signal issue)--Brian Bartels

I am a student currently taking a class at UNL. I was recently assigned an assignment to write an essay regarding a problem. I would appreciate it if you could read my essay below. In addition, if you could respond back to me (by July 7th if possible) for a response is also part of my grade. I have already sent my essay to the City Council. I was informed to send it to a city engineer for a more practical response.

Thanks for your time and seriousness.

Brian Bartels

bbartels@ksu.edu

It takes 8,460 bolts to assemble an automobile, and one nut to scatter it all over the road. Traffic accidents are one thing we all wish we could avoid. But quite frankly, we are human and humans make mistakes. The act of driving is open to all sorts of mistakes. Picture yourself weaving in and out of traffic. You are on your way home, in the middle of rush hour. You approach the last stop light between you and that left-turn into your neighborhood. Irritated by the unacceptable pace of traffic, you speed up as soon as you veer into the left-turning bay. Once at the intersection, you creep further and further out, anticipating that gap for you to squeeze through the turn. Quite disgusted now, you witness the light finally turns yellow, then red. You goose it to get out of the intersection and make the left-turn. SMACK! Much like you, the oncoming vehicle was impatient and wanted to make the light.

A document published by the U.S. Department of Transportation titled "Guidelines for Signalized Left-Turn Treatments", states that without a protected left-turn phase, there are more angle collisions between left-turning vehicles and opposing through vehicles. This is a result



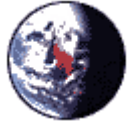
of motorists accepting inadequate gaps, jumping the gun, running the red, or driver impatience. More times than not, drivers make a driving mistake when it comes to left-turns across traffic. Action needs to be taken to minimize mistakes when it comes to left-turns. To ensure the safety of drivers, the intersection at 32nd and Pine Lake Road needs a protected left-turn treatment.

Entrance to the Porter Ridge Neighborhood is south of the intersection whereas entrance to Carlos O' Kelly's and a small business development lies to the north of the intersection. The problem I am proposing is the safety hazard for westbound traffic making a left-turn during peak hours of 4 P.M to 6 P. M. Living in Porter Ridge neighborhood myself, I have been able to witness as well as experience the difficulty to perform the left-turn into the neighborhood off of Pine Lake road during the time noted. The safety of Lincolniters who reside in the Porter Ridge Neighborhood area, is jeopardized during the hours of 4 P.M to 6 P.M when attempting a left-turn into the neighborhood. The intersection currently has a left-turn bay (lane) with a permitted left-turn traffic signal. During the peak hours of 4 P.M to 6 P.M, high volume of thru traffic eastbound along with left-turn traffic from the east, provides for a dangerous left-turn for westbound traffic. The same goes for drivers making a left-turn from the east. Another factor that potentially jeopardizes the safety of drivers making a left-turn from the west is the low visibility of oncoming traffic from over the slight hill.

The solution I am proposing is to implement a protected left-turn. One factor that must be touched on is cost. Due to the current existence of a traffic signal, I assume the addition of a protected left-turn signal would be greatly lower. The cost could be negotiated between the City, surrounding developers, and the Porter Ridge Neighborhood Association. Nevertheless, when the safety of drivers is at stake, cost should not be a barricade.

As a driver, student, and resident of Lincoln, I took the initiative to meet with an expert regarding my proposed problem. I met with Justin Petersen of Olsson Associates. Justin graduated from UNL with a Bachelor of Science in Civil Engineering. Justin is a member of the Traffic team at Olsson Associates. Justin brought to my attention the Manual on Uniform Traffic Control Devices (MUTCD), which are codes that traffic engineers follow. After depicting some of the factors that go into consideration when adding a protected left-turn, Justin felt my case was legit. Justin then suggested that I contact a Traffic Engineer of the City of Lincoln. Nevertheless, I felt I could not dispute against a traffic engineer and the codebook. On the other hand, in the document titled "Guidelines for Signalized Left-Turn Treatments" by the U.S. Department of Transportation, it states; traffic engineers have no clear cut guidelines concerning the need for either left-turn lanes or left-turn signal phasing. With that in mind, my proposed solution is feasible.

According to the Alberta Traffic Collision Statistics 2003, turning left across the path of oncoming traffic accounted for 11% of drivers in casualty collisions. Perhaps this statistic is not relevant to Lincoln, however, it very well could be. Therefore, as a concerned driver and resident of Lincoln, I ask for your ability to put into action my solution. You as a driver can improve your own safety as well as the safety of other drivers by addressing the potential problem at the intersection of 32nd and Pine Lake Road.



joncampcc@aol.com  
07/02/2005 02:32 PM

To droper@lincoln.ne.gov  
cc council@lincoln.ne.gov  
bcc  
Subject Meter Pit Claim

Dana:

I just received a call from a constituent who watched a rerun of the Council meeting from Monday, June 27, 2005. He was particularly concerned about the claim regarding the meter pit accident. His comments were to the effect that only the City has the appropriate device/tool to open the cover. Further, he indicated that it appeared that there was a meter in the pit, which would mean the City must have opened/unlocked the cover to read the meter. I was told that the tool to open the cover is a pentagon shaped device.

This gentleman was concerned that the woman who was injured had received fair consideration and suggested that the legal advice you gave the Council may have not fully apprised us of the situation.

Dana, I do not have all the facts at hand, but perhaps this matter should be reviewed to ensure the Council did fully understand the facts and the woman's testimony and who would have had access to the meter pit.

Thank you for your assistance.

Jon

Jon Camp

Office: 402-474-1838  
Home: 402-489-1001  
Cell: 402-560-1001  
Email: JonCampCC@aol.com

# Memorandum



**To:** City Council  
**CC:** Mayor Seng  
**From:** Chief Tom Casady  
**Date:** 7-5-2005  
**Re:** Council RFI #2

---

I did not receive this RFI until today, but the author of the email, Mark Dietel, had apparently copied me on the original, because I received it while I was on vacation on June 22, and responded directly to him from my hotel. It turns out that he lives in my neighborhood, so we no doubt hear the same stereos on occasion. Although I did not retain a copy, I essentially told my neighbor the following:

I hear you. It bothers me a lot, too. We have a good law now that prohibits your stereo from being audible at more than 50 ft. when played on a public street.

We write several hundred tickets for violations every year. Enforcement, however, doesn't solve the problem: half a dozen businesses in Lincoln exist primary to sell and service these systems. There is a tremendous amount of promotion of loud auto stereo systems (see the attached ads for samples) and virtually every 16 year-old aspires to have a powerful amplifier and a pair of large woofers. It's hard to compete against a cultural phenomenon with a few tickets and \$25 fines—especially when these sound systems cost the owner hundreds (or thousands) of dollars.

I'd be happy to show you the complaints I receive from parents who are angry that we have given their teens tickets—including another of our neighbors, who will no longer talk to me after her son got stopped and cited by an officer directing traffic at an accident scene. I strongly suspect that some of the people who complain to me about loud stereos have actually bought the same kind of gear for their own kids!

Lincoln is no different than the rest of the United States—this is a nationwide aggravation. Several websites are devoted to it, and you will find many people claiming that their hometown is the “boom car” capitol of the world.

We'll keep up the effort.

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**More Excursion than most**

W3 Audio has always pushed the envelope of long excursion speaker design. W3's Bass Reflex speakers have a direct advantage of linear excursion capability. We're happy to report that we're no longer satisfied with the W3's. We have to experience it to believe it!

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Model	Dual 2"	Dual 4"	Dual 6"
9803	0.39"	0.39"	0.42"
10W3	0.50"	0.58"	0.61"
12W3	0.47"	0.46"	0.61"

W3 Audio's patented VRC technology is a unique advantage in the market. Because the cone is angled, it creates a more direct path to the listener, resulting in a more powerful, more accurate sound. The result is a speaker that keeps its cool and stays cool, even under the most demanding conditions.

**10**

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Circle 75 on Reader Service Card




**Tammy J Grammer/Notes**

06/28/05 10:59 AM

To lpd149@cjis.ci.lincoln.ne.us@Notes,  
TCasady@netinfo.ci.lincoln.ne.us@Notes  
cc campjon@aol.com, jcookcc@aol.com, robine@neb.rr.com,  
amcroy@mccrealty.com, newman2003@neb.rr.com,  
ksvoboda@alltel.net, dmarvin@neb.rr.com,  
bcc

Subject CouncilRFI#2

To: Police Chief Casady

Attached, please find Request For Information #2 from Council. Please respond to the attached e-mail. If you will send your response to the Council Office at CouncilPacket@lincoln.ne.gov, in a pdf format, we will distribute your response in the usual manner on the Directors' Agenda. The Subject line need only read CouncilRFI#2. Thank-you.



z5050622-Dietel.pdf

Tammy Grammer  
City Council Office



**DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
06/22/2005 11:03 AM**

To General Council <council@lincoln.ne.gov>  
cc  
bcc  
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Mark Dietel  
Address: 7330 Beaver Creek LN  
City: Lincoln, NE 68516  
  
Phone: 402-202-5045  
Fax:  
Email: markd@inebraska.com

Comment or Question:  
Good day to you City Council,

Yesterday while waiting for a stoplight at 27th and Vine, the car in front of me was playing the stereo so loud that I had to cover my ears for fear of hearing damage. I understand there is no regulation against this. It is absolutely absurd that one deranged individual is allowed to disturb the peace for miles around, and it keeps getting worse and worse. Quite often the lyrics are obscene and sexually explicit, just what I want my seven-year old daughter to hear! Lincoln has become the "boom car" capitol of the world, hardly a distinguished title. Is anything being done to address this problem? It is a health problem, safety problem and a quality of life problem. It is illegal to smoke in bars. Patronizing a bar is a choice, however driving and living along our roads and streets is not a choice!! I have resided in Lincoln since 1981, and decided to stay here because of the then famous quality of life, low crime rate and good place to raise a family. When my company wanted to relocate our engineering office to the Chicago area, I fought tooth and nail to remain in Lincoln and took a 50% pay cut to do so. Now lincolnites are encouraged to lock our doors and keep our garage doors shut because of theft and we no longer feel safe allowing our children to walk to the park or bus top. These are the reasons I didn't want to move to Chicago, but even most Chicago suburbs now have volume restrictions on car stereos! Taxes are among the highest in the nation here and boom cars blare obscene lyrics and booming base 24 hours a day. Quite frankly I would have a hard time recommending Lincoln to anyone anymore, and have considered a move myself.

To: Members of the Lincoln City Council

From: June Pederson, Director  
Lincoln Area Agency on Aging

Date: July 6, 2005

RE: RFI #3

I was asked to respond to two letters you will find in the July 11 Council Packet (pgs 89 – 90) from Delores Eberhardt, Knoxville, TN.

These letters are not signed, nor do they contain any information that would allow confirmation that they were, in fact, written by Delores Eberhardt. In addition, they contain allegations that are personnel matters. In fairness to the employee named, I believe these should be addressed privately. That has been done.

In a second letter, the writer praises *Life Lines Magazine* and objects to the decision to discontinue the publication. As you know, this was a budgetary decision, made as an alternative to cutting services that keep older people in their own homes. You also know that a smaller, less costly publication will take the place of Life Lines. This quarterly publication, titled *Living Well*, will debut October 1, 2005 and will be sent to all who previously received *Life Lines Magazine*.

The writer also indicated staff was being cut in the Health Clinic. This isn't true. One of the Agency's public health nurses requested a reduction of eight hours per week as a transitional step toward retirement. However, the Health Clinic will continue to be staffed as it has been including the volunteer help of student nurses from the University of Nebraska Medical Center.

The writer references "proposed cuts in the number of Senior Centers and in the meal programs." Under the proposed 2005-06 City Budget, the Carol Yoakum ActivAge Center, which is open one day a week will close. The Yoakum Center manager has arranged visits for the 12 current participants to several alternative sites, to encourage them to select an alternative location to attend. Transportation will be provided to any who make that request. This is the only change for any of the ActivAge Centers in Lancaster County.

If I can respond to questions you might have, please call.

Sincerely,

June Pederson, Director  
Lincoln Area Agency on Aging

June 29, 2005

Mayor Colleen Seng  
555 So. 10<sup>th</sup> St.  
Lincoln, NE 68512

RECEIVED  
JUL 01 2005  
CITY COUNCIL  
OFFICE

Dear Mayor Seng:

I am writing this letter to urge you to endorse a city ordinance prohibiting any person from owning, possessing, keeping, exercising control over, maintaining, harboring, or selling a pit bull in the City of Lincoln. A pit bull is defined as any dog that is an American Pit Bull Terrier, and American Staffordshire Terrier, a Straffordshire Bull Terrier, or any dog displaying the majority of physical traits of any one or more of these breeds.

Hopefully, owners who are registered, although there are many, many unregistered, will be sent letters from Animal Control, warning them that the city plans to ban pit bulls within city limits. Then the city needs to follow through and confiscate the dogs.

Lincoln, like Grand Island, is not only known for its meth problem, but pit bulls have become every bit as dangerous! Twenty pit bulls were confiscated recently in GI. Lincoln's pit bull problem is a community health hazard. The leash law, like the pick up the poop law, is not enforced. Speak with Jill Morstead, who you interviewed on Channel 5, and see if there is a trainer in town who will work with pit bulls! This is an aggressive breed and we need to protect people from it. *Juneteenth* was, indeed, enormously compromised by the fights of at least three pit bulls. Walking the sidewalk in the Malone area, is like walking a gauntlet of dread of meeting a pit bull.

Unfortunately, I submit that none of the city council members live in or near pit bulls, or this ban would have been implemented ages ago. Why do we ignore the problems of Clinton neighborhood, or Air Park, or some of our worst neighborhoods and let the people there fend for themselves?! Please, stop ignoring the issue. We have to, as a community, protect our weakest and most vulnerable citizens, the economically disadvantaged. Are our community leaders not frightened of these dogs? Well, they should be and they would be if their neighbors owned some. It only fitting that people bring their pit bulls to Jazz in June, since no one seems to mind if "they" bring them to Trago Park.

Google pit bull and inform yourself and then do something about this public health issue. I intend to get this ban on the agenda for the next city council meeting and every meeting after and on the ballot, if necessary, until someone takes notice. I don't ever want to see another from Carol Brown in the Lancaster County Democrat newsletter bragging about how Lincoln neighborhoods are "safe and vibrant." PLEEZE!!! How does that sort of patronizing statement possibly help the ordinary citizens and children who live in the Clinton, Malone, Air Park (and I could go on) neighborhoods? It only shows her elitism - that she doesn't associate or live in the unsafe, unvibrant neighborhoods.



While the attached ordinance may be inartfully written, please accept it, or revise it, as needed.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Hasty". The signature is written in dark ink and is positioned above the printed contact information.

Rebecca Hasty  
2440 Jameson Court  
Lincoln, NE 68512  
402-421-3948

cc: Bruce Dart  
Jill Morstead  
Pat Anderson, Elliot Neighborhood  
Alene Swinehart, Irving Neighborhood  
City Council members

CITY OF LINCOLN, COUNTY OF LANCASTER

ORDINANCE \_\_\_\_\_

BE IT RESOLVED, this city ordinance prohibits any person from owning, possessing, keeping, exercising control over, maintaining, harboring, or selling a pit bull in the City of Lincoln. A pit bull is defined as any dog that is an American Pit Bull Terrier, and American Staffordshire Terrier, a Straffordshire Bull Terrier, or any dog displaying the majority of physical traits of any one or more of these breeds.



Joan V Ray/Notes  
07/01/05 09:31 AM

To amcroy@mccrealty.com, newman2003@neb.rr.com,  
ksvoboda@alltel.net, joncampcc@aol.com,  
robine@neb.rr.com, dmarvin@neb.rr.com,  
cc Randy W Hoskins/Notes@Notes,  
CouncilPacket/Notes@Notes

bcc

Subject Fw: InterLinc: Council Feedback

Mr. Bartels needs a reply by July 7th. Thanks

Joan

----- Forwarded by Joan V Ray/Notes on 07/01/2005 09:30 AM -----



**DO NOT REPLY to this -**  
**InterLinc**  
**<none@lincoln.ne.gov>**  
06/30/2005 05:38 PM

To General Council <council@lincoln.ne.gov>  
cc

Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Brian Bartels  
Address: 7336 South 30th Street  
City: Lincoln, NE, 68516  
  
Phone: 402-423-7991  
Fax:  
Email: bbartels@ksu.edu

Comment or Question:

I am student currently taking a class at UNL. I was recently assigned an assignment to write an essay regarding a problem. The problem is described within the essay below.

I would appreciate it if you could read my essay and reply back with a timely response (by July 7th)--for the response is also part of my grade.

Thanks for your time and seriousness.

Brian (Please see essay below)

It takes 8,460 bolts to assemble an automobile, and one nut to scatter it all over the road. Traffic accidents are one thing we all wish we could avoid. But quite frankly, we are human and humans make mistakes. The act of driving is open to all sorts of mistakes. Picture yourself weaving in and out of traffic. You are on your way home, in the middle of rush hour. You approach the last stop light between you and that left-turn into your neighborhood. Irritated by the unacceptable pace of traffic, you speed up as soon as you veer into the left-turning bay. Once at the intersection, you creep further and further out, anticipating that gap for you to squeeze through the turn. Quite disgusted now, you witness the light finally turns yellow, then red. You goose it to get out of the intersection and make the left-turn. SMACK! Much like you, the oncoming vehicle was impatient and wanted to make the

light.

A document published by the U.S. Department of Transportation titled "Guidelines for Signalized Left-Turn Treatments", states that without a protected left-turn phase, there are more angle collisions between left-turning vehicles and opposing through vehicles. This is a result of motorists accepting inadequate gaps, jumping the gun, running the red, or driver impatience. Often enough, drivers make a driving mistake when it comes to left-turns across traffic. Action needs to be taken to minimize mistakes when it comes to left-turns. To ensure the safety of drivers, the intersection at 32nd and Pine Lake Road needs a protected left-turn treatment. Entrance to the Porter Ridge Neighborhood is south of the intersection whereas entrance to Carlos O' Kelly's and a small business development lies to the north of the intersection. The problem I am proposing is the safety hazard for westbound traffic making a left-turn during peak hours of 4 P.M to 6 P. M. Living in Porter Ridge neighborhood myself, I have been able to witness as well as experience the difficulty to perform the left-turn into the neighborhood off of Pine Lake road during the time noted. The safety of Lincolnites who reside in the Porter Ridge Neighborhood area, is jeopardized during the hours of 4 P.M to 6 P.M when attempting a left-turn into the neighborhood. The intersection currently has a left-turn bay (lane) with a permitted left-turn traffic signal. A permitted left-turn signal is an ordinary traffic signal for thru traffic where left-turn traffic must yield to oncoming traffic. During the peak hours of 4 P.M to 6 P.M, high volume of thru traffic eastbound along with left-turn traffic from the east, provides for a dangerous left-turn for westbound traffic. The same goes for drivers making a left-turn from the east. Another factor that potentially jeopardizes the safety of drivers making a left-turn from the west is the low visibility of oncoming traffic from over the slight hill.

The solution I am proposing is to implement a protected left-turn. A protected left-turn is the allowance of traffic to make a left-turn while oncoming traffic is at a stop. One factor that must be touched on is cost. Due to the current existence of a traffic signal, the addition of a protected left-turn signal would be greatly lower. The cost could be negotiated between the City, surrounding developers, and the Porter Ridge Neighborhood Association. Nevertheless, when the safety of drivers is at stake, cost should not be a barricade.

As a driver, student, and resident of Lincoln, I took the initiative to meet with an expert regarding my proposed problem. I met with Justin Petersen of Olsson Associates. Justin graduated from UNL with a Bachelor of Science in Civil Engineering. Justin is a member of the Traffic team at Olsson Associates. Justin brought to my attention the Manual on Uniform Traffic Control Devices (MUTCD), which are codes that traffic engineers follow. After depicting some of the factors that go into consideration when adding a protected left-turn, Justin felt my case was legit. Justin then suggested that I contact Randy Hoskin who is the Head Traffic Engineer of the City of Lincoln. Nevertheless, I felt I could not dispute against a traffic engineer and the codebook. On the other hand, in the document titled "Guidelines for Signalized Left-Turn Treatments" by the U.S. Department of Transportation, it states; traffic engineers have no clear cut guidelines concerning the need for either left-turn lanes or left-turn signal phasing. With that in mind, my proposed solution is feasible.

According to the Alberta Traffic Collision Statistics 2003, turning left across the path of oncoming traffic accounted for 11% of drivers in casualty collisions. Perhaps this statistic is not relevant to Lincoln, however, it very well could be. Therefore, as a concerned driver and resident of Lincoln, I ask for your ability to put into action my solution. You as a driver can improve your own safety as well as the safety of other drivers by addressing the potential problem at the intersection of 32nd and Pine Lake Road.





JCookCC@aol.com  
07/01/05 09:47 AM

To JRay@ci.lincoln.ne.us, amcroy@mccrealty.com,  
newman2003@neb.rr.com, ksvoboda@alltel.net,  
JonCampCC@aol.com, robine@neb.rr.com,  
cc RHoskins@ci.lincoln.ne.us, CouncilPacket@ci.lincoln.ne.us

bcc

Subject Re: Fw: InterLinc: Council Feedback

I think it would be appropriate for Public Works to reply to this e-mail. Could you please submit it as a Council RFI? That is, assuming the chair doesn't prefer another course of action. Ken?

Please note the July 7th date, although I think it is difficult for city gov't to always respond by dates imposed by people submitting questions.

Thanks.

Jonathan

-----

In a message dated 7/1/05 9:33:06 AM, JRay@ci.lincoln.ne.us writes:

Mr. Bartels needs a reply by July 7th. Thanks

Joan

----- Forwarded by Joan V Ray/Notes on 07/01/2005 09:30 AM -----

DO NOT REPLY to  
this- InterLinc  
<none@lincoln.ne.  
gov>                      General Council                      To  
                                 <council@lincoln.ne.gov>  
06/30/2005 05:38                      cc  
PM  
                                 Subject  
                                 InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Brian Bartels  
Address: 7336 South 30th Street  
City: Lincoln, NE, 68516

Phone: 402-423-7991  
Fax:  
Email: bbartels@ksu.edu

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from the east, provides for a dangerous left-turn for westbound traffic. The same goes for drivers making a left-turn from the east. Another factor that potentially jeopardizes the safety of drivers making a left-turn from the west is the low visibility of oncoming traffic from over the slight hill.

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Joan V Ray/Notes  
07/01/05 11:53 AM

To CouncilPacket/Notes@Notes  
cc  
bcc  
Subject Fw: concrete grinding

----- Forwarded by Joan V Ray/Notes on 07/01/2005 11:54 AM -----



"Carol B"  
<carolserv@hotmail.com>  
07/01/2005 11:51 AM

To bhampton@hamptonlots.com  
cc council@ci.lincoln.ne.us  
Subject concrete grinding

Good morning Bob,

I am sorry I haven't responded to you sooner. We are dealing with the family issue of our son J.R. being deployed to Iraq. It is something I had hoped we would not have to go through but he is a true patriot and very loyal to his country.

I am sorry that I would not be able to support this temporary permit. See, even the slightest problem it might cause in the construction of the armored plates General Dynamics produces is too costly in the potential of lives lost in the war. My son will be deployed with a trucking company and those are the vehicles that benefit from the armored plates.

I am sorry the investment you made has gone array and that you did not know you needed a special permit before you started hauling in the concrete. I guess even the experienced business person is not exempt from falling into bad investments.

I look forward to the day you can redevelop that area, for it is sorely needed. I think your idea of warehouse distribution/manufacturing is probably a good one. The area has a mix now of retail as well.

I thank you for you message and wish you the best in redeveloping the area. If I can assist in that manner in any way please let me know.

Sincerely,  
Carol

P.S. Please consider securing the sight so children will not be tempted into climbing the mounds of concrete and potentially making a legal issue for you also. Thanks.

>From: "Bob Hampton" <bhampton@hamptonlots.com>  
>To: "Carol B" <carolserv@hotmail.com>, "Bob Lewis" <rlewis@hamptonlots.com>  
>Date: Wed, 22 Jun 2005 13:09:03 -0500  
>  
>Carol:  
>  
>I would like to have your help in your support in allowing us to clean

>up all the concrete at our site.  
>If we could get a temporary permit 45 - 60 days to remove what is  
>currently on site. We would comply with the health department standards  
>we will get all the concrete crushed and removed from the site. We would  
>not bring any more in. This was just a short term operation to try to  
>get some cash coming in on what has been a very big black hole of a  
>problem site. It has cost us a lot of money. The tenants I had there  
>when I bought the property all left or went broke and stuck me with rent  
>due. I can not lease it in its current state. So we thought the concrete  
>crushing was a short term alternative. Many other nasty uses can occur  
>on I 1 zoned land with no permit.  
>  
>We have better uses for this property.  
>I purchased it knowing that it had some environmental problems. We spoke  
>with DEQ before we bought it. They said they would help us get it  
>cleaned up.  
>We are in a voluntary RAPMA program with DEQ. It has been 5 years  
>waiting on the DEQ. I will never buy a DEQ site again.  
>If I did not buy it this site would still be an auto salvage and junk  
>yard still operating since steel prices went up like they have the last  
>5 years.  
>  
>We think we are very close to a clean up plan with them. We want to get  
>all the concrete out before we can clean up the site.  
>I want to use the site for nice buildings for ware house, distribution  
>and manufacturing.  
>  
>If I can not get this temporary permit this site will sit with concrete  
>as is for a long time.  
>I hope you can assist me in achieving our mutually beneficial goals. We  
>both want the site cleaned up and put to a higher and better use. That  
>will pay more taxes.  
>Thank you for your consideration.  
>Bob Hampton



**Phillip Stevens**  
<philipgstevens@yahoo.com>

07/02/2005 08:08 PM

To mayor@ci.lincoln.ne.us  
cc council@ci.lincoln.ne.us  
bcc  
Subject Personal request / Lapel pin

Greetings Mayor Seng,

Back on Jan. 17 of this year I wrote to request a lapel pin or something similar from your beautiful city of Lincoln as a personal memento. I never received a response.

May I request once more that a lapel pin be mailed to me? Please request that the envelope be 'hand stamped' so the postal meter will not tear the envelope and lose the pin during shipment.

Please mail to:

Phillip G. Stevens  
600 Elinor Street  
Chattanooga, TN 37405

Please know I am most appreciative!


---

Yahoo! Mail

Stay connected, organized, and protected. [Take the tour](#)



Joan V Ray/Notes  
07/06/2005 09:27 AM

To rtegel@lps.org  
cc  
bcc  
Subject Re: 4th celebration 

Dear Ms. Tegeler: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@lincoln.ne.gov

rtegel@lps.org



rtegel@lps.org  
07/05/2005 08:30 PM

To council@ci.lincoln.ne.us  
cc  
Subject 4th celebration

Dear City Council Members,

First of all, my congrats to the city for an awesome 4th of July celebration! It sounds like most of the festivities went off without a hitch! I wish to express my sincere hope that the 4th celebration will return to Holmes Lake for 2006! I am a resident of Dakota Place, a townhome association just west of teh Holmes Lake dam, and I love the celebration when its so close! We have residents who are respectful on such a busy day and appreciate having the opportunity to celebrate with all of the City in literally, ouir backyard! Its been great fun in years past, and I am casting my vote for its return!

Thanks very much!!

Becky Tegeler



rtegel.vcf

Lincoln NE

June 30, 2005

Pattie Newman City Council  
555 S 10th St  
Lincoln NE 68508

RECEIVED  
JUL 05 2005  
CITY COUNCIL  
OFFICE

Ladies & Gentlemen

I have found from my own experience that when WalMart comes it - other small business with better quality have laid off personnel - and pay is less if they go to WalMart - if they can find a job - One business has had to close - in fact several businesses have had to close -

I appreciate your decisions - I live about 2 blocks - west and I pray you don't allow a Wal Mart east of 84th - I hope you will zone it so smaller business can come in but NO WalMart

Ruth Mussmann

Ms. Ruth Mussmann  
2320 Nancy Dr.  
Lincoln, NE 68507 3369

*Lincoln Journal Star*

## **Wise pass on Wal-M**

I read with interest the editorial in the June 9 edition of the *Journal Star*. The editorial was critical of Lincoln City Council for their vote to deny a change in zoning for a super Wal-Mart on the corner of 84th and Adams. It was insinuated that because of the denial, Wal-Mart might go to Waverly instead.

In most communities where I have presented information to city councils or planning commissions on Wal-Mart, there seems to be the underlying idea that if Wal-Mart is not allowed in, they will go to the next community or outside of city limits into county jurisdiction.

Research suggests that sales tax revenue doesn't grow because of the presence of a new supercenter, but rather, over a period of a few years, is stagnant or declines because other businesses close. More low-paying jobs are created when other businesses are eliminated. Not only are the low-end jobs in those businesses lost but the positions held by mid-level managers and owners are also lost.

When this happens a larger share of the dollar leaves the community forever and isn't available for re-use in the community or for charitable contributions. I believe neighboring jurisdictions should work together to avoid the threat of lost sales tax revenues.

I cannot speak for the reasons the council denied the zoning change, but having a sincere belief in free but fair enterprise, I applaud their decision. I believe if you look at the big picture and the overall prosperity and future growth of

Lincoln, the City Council made a very wise and forward-thinking decision.

Doug Cunningham, Lincoln  
Director, Hometown Merchants Association

July 4, 2005

RECEIVED

JUL 06 2005

CITY COUNCIL  
OFFICE

Mayor Coleen Seng  
City of Lincoln  
555 South 10th Street  
Lincoln, NE 68505

Dear Mayor Seng,

Having just returned home from a trip for personal reasons and then reading your proposed Budget, we have a few comments to make. The cuts you recommend are not out of line, but some of your increases we do not agree with.

Your proposal for a 5-cent per gallon tax increase for road is out of the question. The residents of Lincoln are already paying a high Wheel Tax to fix the city streets. People such as us live on a fixed income and these continuing tax increases and rate increases are becoming a bit much. Our complaint about the gas tax for streets has merit because a number of City Employees earn their income from the City and reside in the County, therefore never paying a dime of Wheel Taxes or City Taxes. Perhaps those employees should be paying some type of employee tax to pay for the upkeep of our city streets as they use them as much as the rest of us, if not more. We certainly hope the City Council considers this topic very carefully and votes **against the raise of 5 cents**.

Another subject is Parks and Trails. Driving around our great city and seeing the number of wonderful Parks, large and small, in all sections of town there doesn't appear to be a need for anymore nor is there a need for any additional walking trails. We need to spend the funds you've designated for Parks and Trails for something more beneficial.

There is a desperate need for a Fire Station on North 27th Street, between I-80 and Superior Street. With the new High School on North 33rd Street and the new housing developments all around the Northwest area a Fire Station is very much needed.

Thank you very much for listening but I do hope you do more than just listen and take action and not add the gas tax.

Sincerely,

*Billy & Wilma Williams*

Billy and Wilma Williams  
5546 Enterprise Drive  
Lincoln, NE 68521

✓ cc: City Council

July 4, 2005

RECEIVED  
JUL 06 2005  
CITY COUNCIL  
OFFICE

Mayor Coleen Seng  
City of Lincoln  
555 South 10th Street  
Lincoln, NE 68508

Dear Mayor Seng,

Having reviewed your proposed Budget I have a comment regarding the Tax Increase on Gasoline. The cuts you recommend are not out of line, but some of your increases I do not agree with.

Your proposal for a 5-cent per gallon tax increase for roads is out of the question. The residents of Lincoln are already paying a high Wheel Tax to fix the city streets. People such as me live on a fixed income and these continuing tax increases and rate increases are becoming a bit much. My complaint about the gas tax for streets has merit because a number of your City Employees earn their income from the City and reside in the County, therefore never paying a dime of Wheel Taxes or City Taxes. Perhaps those employees should be paying some type of employee tax to pay for the upkeep of our city streets as they use them as much as the rest of us, if not more. I certainly hope the City Council considers this topic very carefully and votes **against the raise of 5 cents.**

Thank you very much for listening but I do hope you do more than just listen and take action and not add the gas tax.

Sincerely,



Eileen Rich  
7310 Kearney  
Lincoln, NE 68507

RECEIVED  
JUL 06 2005  
CITY COUNCIL  
OFFICE

✓ cc: City Council





**DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
07/06/2005 09:41 PM**

To General Council <council@lincoln.ne.gov>  
cc  
bcc  
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Janet Wheatley  
Address: 1000 Smoky Hill Rd  
City: Lincoln, NE 68520  
  
Phone: 402 327-9694  
Fax:  
Email: jwheatley1@earthlink.net

Comment or Question:

I was shocked to walk into the 70th & Pioneer HyVee store last Friday and be offered what appeared to be a sample of an alcoholic beverage. I called the manager today and they were passing out samples of 3 different alcoholic beverages that day.

What shocked me was that everyone had to walk past these samples on their way into the store, including children. It was the first time I've seen alcohol samples handed out. I did not get carded, nor did I see anyone else being carded.

It was bad enough when grocery stores were allowed to sell alcohol. Grocery stores are no longer a safe place to bring your children. I can picture parents saying, "No, you can't have a sample" and yet the children seeing adults setting an example.

I find it very tacky. The 70th & Pioneer HyVee is the worst I've seen because you can not get in the front door without passing the liquor section. What message are we sending to our young people as we say we are addressing binge drinking at the University?

I feel we have gone WAY too far, and would like to see this undone. I don't know if there is anything you can do, but thought I would check to see what we can do as a city.

Another thing which I heard about this weekend was that I have a 19 yr old cousin who works at the 56th & Highway 2 Super Saver, who handles and sells alcohol as well as having passed out samples there. Again...how can this be? Nineteen is not old enough to drink, but it is old enough to serve and handle it? Give me a break. Are we that desperate?

Thank you for your input.



TLow@lincoln.ne.gov  
07/07/2005 11:21 AM

To council@lincoln.ne.gov  
cc  
bcc  
Subject Fw: InterLinc: Feedback

DO NOT REPLY to  
this- InterLinc  
<none@lincoln.ne.  
gov>

07/07/2005 11:19  
AM

Web Assistant  
<webhelp@lincoln.ne.gov>

To

cc

Subject

InterLinc: Feedback

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Comments:

I would just like to point out that I think there should be an ordinance about alternative beverages for Designated Drivers in bars, etc. Sometimes, especially during happy hour, I'm paying more for my soda, than they are paying for their alcoholic beverages. I think something needs to be done.

Thanks,

Kevin Karmazin